

# **EXHIBIT B**

Page 1

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

IN RE: VALSARTAN, LOSARTAN, AND  
IRBESARTAN PRODUCTS LIABILITY  
LITIGATION

This Document Relates to All Actions

**VIDEOTAPED**

DEPOSITION OF: KALI PANAGOS, PHARM.D., R.PH  
DATE: JANUARY 21, 2022  
TIME: 9:32 a.m. - 5:52 p.m.  
TAKEN BY: DEFENDANT  
PLACE: RIVERO MESTRE LLP  
2525 PONCE DE LEON BLVD. SUITE 1000  
MIAMI, FL 33134  
REPORTED BY: CHELSEA HLAVACH, NOTARY PUBLIC, STATE  
OF FLORIDA

1 A P P E A R A N C E S: 2 NILDA ISIDRO, ESQUIRE 3 OF: Greenberg Traurig One Vanderbilt Avenue 4 New York, NY 10017 isidron@gtlaw.com 5 Attorney for Teva 6 GLENN CERNER, ESQUIRE 7 OF: Greenberg Traurig One Vanderbilt Avenue 8 New York, NY 10017 9 Attorney for Teva 10 JORGE MESTRE, ESQUIRE OF: Rivero Mestre, LLP 11 2525 Ponce de Leon Boulevard, Suite 1000 Miami, FL 33134 12 jmestre@riveromestre.com 13 Attorney for the Plaintiffs 14 GREGORY HANSEL, ESQUIRE OF: Preti, Flaherty, Beliveau & Pachios, Chartered, LLP 15 One City Center Portland, ME 04101 16 ghansel@preti.com 17 Attorney for Maine Automobile Dealers Association 18 CONLEE WHITELEY, ESQUIRE OF: Kanner and Whiteley 19 701 Camp Street New Orleans, LA 70130 20 Attorney for the Plaintiffs 21 CHARLIE WHARTON, ESQUIRE 22 OF: Rivero Mestre, LLP 2525 Ponce de Leon Boulevard, Suite 1000 23 Miami, FL 33134 cwhorton@riveromestre.com 24 Attorney for the Plaintiffs 25	Page 2	1 DREW DORNER, ESQUIRE OF: Duane Morris, LLP 2 505 9th Street, N.W., Suite 1000 Washington, DC 20004-2166 3 ddorner@duanemorris.com 4 Attorney for ZHP, Princeton, Solco, and Huahai U.S. appeared via Zoom 5 D'LESLI DAVIS, ESQUIRE 6 OF: Norton Rose Fulbright US LLP 2200 Ross Avenue, Suite 3600 7 Dallas, Texas 75201-7932 Ellie.norris@nortonrosefulbright.com 8 Attorney for McKesson Corporation appeared via Zoom 9 FRANK STOY, ESQUIRE 10 OF: Pietragallo Gordon Alfano Bosick & Raspanti, LLP 38th Floor, One Oxford Centre 11 Pittsburgh, PA 15219 FHS@Pietragallo.com 12 Attorney for Mylan Laboratories Ltd. and Mylan Pharmaceuticals, Inc., appeared via Zoom 13 JASON REEFER, ESQUIRE OF: Pietragallo Gordon Alfano Bosick & Raspanti, LLP 15 38th Floor, One Oxford Centre Pittsburgh, PA 15219 16 FHS@Pietragallo.com 17 Attorney for Mylan Laboratories Ltd. and Mylan Pharmaceuticals, Inc., appeared via Zoom 18 GEOFFREY COAN, ESQUIRE 19 OF: Hinshaw & Culbertson LLP 53 State Street, 27th Floor, Boston, MA, 02109 20 Tel: 617-213-7045   Fax: 617-213-7001 Gcoan@hinshawlaw.com 21 Attorney for Sciegen Pharmaceuticals appeared via Zoom 22 GREG COATES, ESQUIRE 23 OF: Greenberg Traurig 500 Campus Drive, Suite 400 24 Florham Park, NJ 07932 Coatesg@gtlaw.com 25 Attorney appeared via Zoom	Page 4
1 ASHER BLOCK, ESQUIRE OF: Lewis Brisbois 2 550 E. Swedesford Road, Suite 270 Wayne, PA 19087 3 Attorney for Camber Pharmaceuticals appeared via Zoom 4 CHRIS HENRY, ESQUIRE 5 OF: Buchanan Ingersoll & Rooney PC 227 West Trade Street, Suite 600 6 Charlotte, NC 28202 704 444 3475 (o) 7 Christopher.henry@bipc.com 8 Attorney for Albertson <sup>TM</sup> s LLC appeared via Zoom 9 CHRISTINE GANNON, ESQUIRE OF: Three Gateway Center 10 100 Mulberry Street, 15th Floor Newark, New Jersey 07102 11 Lwalsh@walsh.law Cgannon@walsh.law 12 Attorneys for Teva Pharmaceuticals USA, Inc., Teva 13 Pharmaceutical Industries Ltd., Actavis Pharma, Inc., and Actavis, LLC, appeared via Zoom 14 CHARLES SCHAFFER, ESQUIRE 15 OF: Walter Haverfield, LLP 16990 Savage Road 16 Chagrin Falls, OH 44023-4536 Crs7270@gmail.com 17 Attorney for Steamfitters Local 300 and Employers and 18 Laborers Local 100 appeared via Zoom 19 DANA KLINGES, ESQUIRE OF: Duane Morris, LLP 20 30 South 17th Street Philadelphia, PA 19103-4196 21 dklinges@duanemorris.com 22 Attorney for ZHP appeared via Zoom 23 24 25	Page 3	1 JEFF GEOPPINGER, ESQUIRE OF: Ulmer 2 312 Walnut Street, Suite 1400 Cincinnati, Ohio 45202-4029 3 Jgeoppinger@ulmer.com 4 Attorney appeared via Zoom 5 JOHN GISLESON, ESQUIRE OF: Morgan Lewis & Bockius, LLP 6 One Oxford Centre, 32nd Fl. Pittsburgh, PA 15219-6401 7 john.gisleson@morganlewis.com 8 Attorney for Aurobindo appeared via Zoom 9 KARA KAPKE, ESQUIRE OF: Barnes & Thornburg, LLP 10 11 South meridian Street Indianapolis, IN 46204-3535 11 Attorney for CVS and Rite Aid appeared via Zoom 12 KRISTIN IVES, ESQUIRE 13 OF: Falkenberg Ives LLP 230 W. Monroe, Suite 2220 14 Chicago, IL 60606 Kbi@falkenbergives.com 15 Attorney for Humana Pharmacy, Inc., appeared via Zoom 16 LAYNE HILTON, ESQUIRE 17 OF: Kanner & Whiteley, L.L.C. 701 Camp Street 18 New Orleans, LA 70130 Www.kanner-law.com 19 Attorney for Plaintiffs appeared via Zoom 20 LUKE BRESNAHAN, ESQUIRE 21 OF: Crowell & Moring 1001 Pennsylvania Avenue, NW 22 Washington, DC 20004 lbresnahan@crowell.com 23 Attorney appeared via Zoom 24 25	Page 5

	Page 6	Page 8
1	RUBEN HONIK, ESQUIRE OF: Honik, LLC 2 Mass Torts Made Perfect 316 South Baylen Street, Number 400 3 Pensacola, FL 32502 ruben@honiklaw.com 4 Attorney for the Plaintiffs appeared via Zoom 5 SARAH ZIMMERMAN, ESQUIRE 6 OF: Husch Blackwell, LLP 190 Carondelet Plaza, Suite 600 7 St. Louis, MO 63105-3443 Sarah.Zimmerman@huschblackwell.com 8 Attorney for Express Scripts appeared via Zoom 9 STEVEN HARKINS, ESQUIRE 10 OF: Greenberg Traurig Terminus 200 3333 Piedmont Road NE, Suite 2500 Atlanta, GA 30305 11 Harkinss@gtlaw.com 12 Attorney for Teva appeared via Zoom 13 WILLIAM MURTHA, ESQUIRE OF: William Murtha, Hill Wallack, LLP 15 21 Roszel Road Princeton, NJ 08540 16 wmurtha@hillwallack.com 17 Attorney for Hetero Drugs and Hetero Labs appeared via zoom 18 ELLIE NORRIS, ESQUIRE 19 OF: Norton Rose Fulbright US LLP 2200 Ross Avenue, Suite 3600 20 Dallas, Texas 75201-7932 Ellie.norris@nortonrosefulbright.com 21 Attorney for McKesson Corporation appeared via Zoom 22 23 24 25	1 2 3 TESTIMONY OF KALI PANAGOS, PHARM.D., R.PH 4 Direct Examination by Ms. Isidro ..... 13 Cross-Examination by Mr. Gisleson ..... 154 5 Redirect Examination Mr. Geoppinger ..... 175 Recross-Examination Ms. Isidro ..... 184 6 Further Direct Examination Mr. Hansel ..... 185 Further Cross-Examination Mr. Gisleson ..... 189 7 Further Further Direct Examination Mr. Dorner . 194 8 CERTIFICATE OF OATH ..... 200 9 CERTIFICATE OF REPORTER ..... 201 ERRATA SHEET ..... 202 10 NOTIFICATION LETTER ..... 203 11 12 EXHIBITS 13 * * * * * 14 Exhibit No. 1 ..... 16 (Notice of Deposition) 15 Exhibit No. 2 ..... 17 (CV) 16 Exhibit No. 3 ..... 85 (Report) 17 Exhibit No. 4 ..... 90 (Engagement Letter) 18 Exhibit No. 5 ..... 125 (ASHP Report) 19 20 21 22 23 24 25
	Page 7	Page 9
1	C. BRETT VAUGGN, ESQUIRE OF: Hollis Law Firm 2 8101 College Blvd, Suite 260 Overland Park, KS 66210 3 Attorney appeared via Zoom 4 DAN CAMPBELL, ESQUIRE 5 OF Crowell & Moring 1001 Pennsylvania Avenue, NW 6 Washington, DC 20004 lbresnahan@crowell.com 7 Attorney appeared via Zoom 8 9 ALSO PRESENT 10 BEN PELTA-HELLER, Videographer, appeared via Zoom 11 JAVIER ORDONEZ, Videographer 12 13 14 15 16 17 18 19 20 21 22 23 24 25	1 2 3 4 5 6 7 8 9 10 11 12 13 * * * * * 14 S T I P U L A T I O N S 15 It is hereby stipulated and agreed by and between 16 counsel present for the respective parties, and the 17 deponent, that the reading and signing of the deposition 18 are hereby reserved. 19 20 21 22 23 24 25

Page 10	Page 12
1                   PROCEEDINGS 2                   *****	1                   right now, have there been any objections to the 2                   depositions being recorded on Zoom or has there been 3                   any agreement for this litigation to have the 4                   depositions recorded on Zoom? Because that was my 5                   understanding, but I'm asking the group.
6                   THE VIDEOGRAPHER: Good morning. We are going on 7                   the record at 9:32 a.m. on January 21st, 2022.	6                   MS. ISIDRO: And further --
8                   This is Media Unit Number 1 of the video recorded 9                   deposition of Kali -- Dr. Kali Panagos. This 10                  deposition is being held at 2525 Ponce de Leon 11                  Boulevard, Suite 1000, in Miami, Florida.	7                   MR. COTES: Glenn, it's Greg -- it's Greg Cotes. 8                   I mean, I've been on dozens and dozens of these in the 9                   past six months and I get that recording message every 10                  single time and no one's ever said a word about that.
11                  My name is Javier Ordonez and I am the 12                  videographer. The court reporter is Chelsea Hlavach; 13                  both from Veritext. Will the court reporter please 14                  swear in the witness?	11                  MS. ISIDRO: Yeah. I would also add that 12                  Plaintiffs have -- have raised objections to the 13                  number of folks in the room in person, and this was 14                  something that was discussed at the recent status 15                  conference, and that is also part of the reason why 16                  there is the Zoom setup, just in light of the pandemic 17                  and concerns about safety that have been raised by 18                  Plaintiffs, just as much as by anyone else.
19                  THE COURT REPORTER: Can we have counsel please 20                  state their appearances?	19                  And so, again, I don't see the -- the problem 20                  with recording the Zoom consistent with all of that.
21                  THE VIDEOGRAPHER: Oh, can counsel please state 22                  your name and who you're -- I'm sorry. State your 23                  appearance and who you represent.	21                  MR. HANSEL: Okay. All right. In that case 22                  we'll -- we'll allow it.
24                  MS. ISIDRO: Nilda Isidro from Greenberg Traurig 25                  on behalf of Teva.	23                  MS. ISIDRO: Thank you.
26                  MR. KERNER: Glenn Kerner from Greenberg Traurig 27                  also on behalf of Teva.	24                  THE COURT REPORTER: Okay. Will you raise your 25                  right hand, please?
28                  MR. HANSEL: Greg Hansel from Preti Flaherty on 29                  behalf of Maine Automobile Dealers Association.	Page 13
30                  MR. WHARTON: Hi. Charlie Wharton on behalf of 31                  Plaintiffs.	1                  Do you swear or affirm the testimony you are 2                  about to give in this matter will be the truth, the 3                  whole truth, and nothing but the truth?
32                  MS. WHITELEY: Conlee Whiteley on behalf of 33                  Plaintiffs.	4                  THE WITNESS: I do.
34                  MR. HANSEL: Before we go on the record further, 35                  I guess I have a couple of preliminaries. First, 36                  Jorge Mestre is also here, Chelsea, on behalf of the 37                  Plaintiffs.	5                  KALI PANAGOS, PHARM.D., R.PH, 6                  having been first duly sworn, was examined and 7                  testified as follows:
38                  And I see I'm being asked on the Zoom to agree 39                  that this be recorded on Zoom, and I don't think 40                  that's necessary because we have a videographer and a 41                  court reporter. So I would request that the Zoom not 42                  be recorded.	DIRECT EXAMINATION
43                  MS. ISIDRO: The Zooms, I believe, have been 44                  recorded at prior depositions, and in the event anyone 45                  on Zoom asks questions, et cetera, that's -- that's 46                  part of the purpose of -- of the Zoom recording, is my 47                  understanding.	9                  BY MS. ISIDRO:
48                  MR. HANSEL: That would also be audible in the 49                  room and would be picked up on the video, the 50                  videographer, the court -- the official videographer, 51                  as well as by the court reporter.	10                 Q. Good morning, Dr. Panagos.
52                  Is that really necessary?	11                 A. Good morning.
53                  MR. KERNER: Well, let me just ask you a quick 54                  question. My understanding is that the prior 55                  depositions have all been recorded on Zoom as well, 56                  and this is for you folks and anybody actually on Zoom	12                 Q. My name is Nilda Isidro. I'm with the law firm 13                  of Greenberg Traurig and I represent Defendant, Teva.
57	14                 A. Uh-huh.
58	15                 Q. We're just meeting for the first time this 59                  morning, correct?
60	16                 A. Yes, we are.
61	17                 Q. Can you please state your full name for the 62                  record?
63	18                 A. My full name is Dr. Kali Panagos.
64	19                 Q. And what is your current professional address?
65	20                 A. My current professional address is 105 Down 66                  Court, Windermere, Florida -- Florida.
67	21                 Q. Thank you. Where do you currently reside?
68	22                 A. New York.

<p style="text-align: right;">Page 14</p> <p>1 Q. Have you ever been deposed before?      2 A. No, I have not.      3 Q. Okay. So I'll just go over a few ground rules on      4 how -- on how this works --      5 A. Sure.      6 Q. -- since this is your first deposition.      7 As you can see there's a court reporter to your      8 right who's taking down everything that we say.      9 A. Uh-huh.      10 Q. So for that reason, it's very important that you      11 answer verbally, meaning yes -- saying yes or no rather      12 than nodding your head or saying --      13 A. I understand.      14 Q. -- uh-huh or huh-uh, and for that same reason,      15 it's important that -- that we not talk over each other,      16 right? So that you wait that -- until I finish my question      17 before you start to answer, and I'll do the same. I'll try      18 to wait until you finish your answer before I start the      19 next question, just so that the court reporter isn't trying      20 to take both of us -- what both of us are saying down at      21 the same time. Is that all right?      22 A. That's right.      23 Q. Great. As -- as you've seen this morning, there      24 are some folks who are also on Zoom and so there's that      25 setup as well. There you may hear -- you may hear</p>	<p style="text-align: right;">Page 16</p> <p>1 that?      2 A. No.      3 Q. Okay. And do you want to read and sign this      4 deposition?      5 A. Sure.      6 Q. Okay. Now, Doctor, you're appearing here today      7 pursuant to a notice of deposition; is that right?      8 A. Yes.      9 Q. Okay. We're going to go ahead and mark that      10 notice of deposition as Exhibit 1. And, again, as I      11 mentioned, because of the Zoom, someone's going to be      12 loading these exhibits up on the Zoom as well, so we may      13 just give a little bit of a pause when we mark an exhibit      14 so that they can get caught up as well.      15 (Exhibit No. 1 was marked for identification.)      16 All right. Doctor, have you seen this document      17 before?      18 A. No.      19 Q. Okay. I'm going to ask you to take a look at      20 Page 6. There are a number of requests there. And just if      21 you could take a look at those and let me know, did anyone      22 ask you whether you had any of these documents that are      23 requested here in your possession?      24 MR. HANSEL: I'm going to object on grounds of      25 work product privilege to any requests for</p>
<p style="text-align: right;">Page 15</p> <p>1 objections or something coming from Zoom. You may also      2 later today get questions from folks on -- on -- on the      3 Zoom.      4 If at any time you don't understand my question,      5 please let me know. If you don't hear my question, please      6 let me know. If -- however, if you do answer my question,      7 I'm -- I'm going to take that to mean that you understood      8 my questions. Is that fair?      9 A. Yes.      10 Q. Okay. If at any time you need to take a break,      11 just let me know and -- and we can do that. I would just      12 ask that if there's a question pending, that that question      13 be answered before we go on a break.      14 A. Okay.      15 Q. Do you have any questions about the -- how      16 this -- about how -- the procedures or how this will work      17 today?      18 A. Not at this time.      19 Q. Okay. And as you know you're here to testify      20 under oath. Is there any reason that you would not -- you      21 would not be able to give truthful and accurate testimony      22 today?      23 A. No.      24 Q. You're not on any medications that might      25 interfere with your ability to testify or anything like</p>	<p style="text-align: right;">Page 17</p> <p>1 communications between counsel and the witness as, you      2 know, we have also responded to this request in      3 writing, as you know.      4 MS. ISIDRO: I'll rephrase my question.      5 BY MS. ISIDRO:      6 Q. Prior to the deposition today, did you check      7 whether you had any of the documents that are listed in      8 these requests in your possession?      9 A. Yes.      10 Q. Okay. We're going to go through them one by one.      11 A. Sure.      12 Q. And -- and we'll talk about each one. So the      13 first one is your current up-to-date resume or CV. There      14 was a CV attached as an exhibit to your report, correct?      15 A. Correct.      16 Q. Is that your current CV?      17 A. Yes.      18 Q. Since -- since producing your report, have --      19 have there been any updates to the information on that CV?      20 A. No.      21 Q. Okay. Let's go ahead and mark that CV as Exhibit      22 Number 2 and then we'll go through later on the rest of the      23 items on this list.      24 (Exhibit No. 2 was marked for identification.)      25 Okay. Doctor, so it notes on your CV that you</p>

<p style="text-align: right;">Page 18</p> <p>1 received a bachelor of science from St. John's University      2 in 1997; is that right?</p> <p>3 A. Yes.</p> <p>4 Q. What was your major?</p> <p>5 A. Biology.</p> <p>6 Q. Did you have any minors?</p> <p>7 A. Computer science.</p> <p>8 Q. How long did it take you to complete that      9 bachelor of science?</p> <p>10 A. Four years.</p> <p>11 Q. And then after that you pursued a second      12 bachelor's degree; is that right?</p> <p>13 A. Yes.</p> <p>14 Q. That was from St. John's University in 2000?</p> <p>15 A. Yes.</p> <p>16 Q. What was your major then?</p> <p>17 A. Pharmacy.</p> <p>18 Q. And did you have any minors at that time?</p> <p>19 A. No.</p> <p>20 Q. How long did it take you to complete that      21 bachelor's degree?</p> <p>22 A. That was completed in 2000.</p> <p>23 Q. When did you -- when did you begin pursuing that      24 bachelor's degree?</p> <p>25 A. In '97.</p>	<p style="text-align: right;">Page 20</p> <p>1 curriculum of the pharmacy program, the pharmacy advisors      2 reported to me with regards to students -- student      3 advisement for coursework in the pharmacy program, and I      4 also evaluated student progress for remaining and -- within      5 the program as well.</p> <p>6 Q. Okay. And did you have any other titles or roles      7 within the Long Island University?</p> <p>8 A. Yes, I served as an adjunct faculty in the      9 department of social sciences.</p> <p>10 Q. From --</p> <p>11 A. In the pharmacy program.</p> <p>12 Q. From what year to what year?</p> <p>13 A. 2000 and -- jeez. I was -- 2005 about until      14 2009.</p> <p>15 Q. Okay. Did you teach classes as part of that      16 role?</p> <p>17 A. I certainly did.</p> <p>18 Q. What classes did you teach?</p> <p>19 A. I taught pharmacy orientation, which is an      20 introduction course to pharmacy. I also taught or was part      21 of the recitation courses, which are laboratory type      22 courses in the social sciences division of pharmacy      23 program.</p> <p>24 Q. Okay. Any other courses that you taught?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. Okay. And -- and then you received a doctorate      2 from Shenandoah University in 2006?</p> <p>3 A. Yes.</p> <p>4 Q. That was also in pharmacy?</p> <p>5 A. That was a doctorate in pharmacy, yes.</p> <p>6 Q. Okay. And when did you begin pursuing that      7 doctorate?</p> <p>8 A. Two years prior to the graduation date.</p> <p>9 Q. Have you had any other formal education beyond      10 those degrees that we've just discussed?</p> <p>11 A. No.</p> <p>12 Q. Okay. So in 2002 you joined the Long Island      13 University's faculty; is that right?</p> <p>14 A. Yes.</p> <p>15 Q. And you were on that faculty until 2009?</p> <p>16 A. Yes, I was part of the faculty and administration      17 till 2009.</p> <p>18 Q. What -- what was your first role within Long      19 Island University's faculty and administration?</p> <p>20 A. Director of pharmacy services.</p> <p>21 Q. And how long did you hold that position?</p> <p>22 A. I held that until, you know, 2009.</p> <p>23 Q. Okay. What were your roles and responsibilities      24 under that title?</p> <p>25 A. My roles and responsibilities were to oversee the</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. And other than these two roles that we've just      2 discussed, did you have any other roles or titles within      3 the Long Island University?</p> <p>4 A. No.</p> <p>5 Q. You're currently a registered pharmacist in the      6 State of New York?</p> <p>7 A. Yes, I am.</p> <p>8 Q. Are you registered or licensed as a pharmacist in      9 any other state?</p> <p>10 A. No.</p> <p>11 Q. Do you have any other certifications --      12 professional certifications or qualifications?</p> <p>13 A. I do.</p> <p>14 Q. What are they?</p> <p>15 A. I have an immunizer certification; I am certified      16 in first aid or CPR for infant, child, and adults; I am      17 also certified as an MTM pharmacist; and I also have a New      18 York State Department Adjuster License as well.</p> <p>19 Q. Okay. You mentioned an immunizer certification.      20 What does that -- what does that mean?</p> <p>21 A. That means I am permitted to administer      22 immunizations to patients.</p> <p>23 Q. And what is an MTM pharmacist?</p> <p>24 A. Medication therapy management.</p> <p>25 Q. What -- what does medication therapy management</p>

6 (Pages 18 - 21)

<p>1 entail?</p> <p>2 A. It entails being able to counsel patients on</p> <p>3 their -- the drugs that they're on and their overall</p> <p>4 profile and provide them guidance for compliance and</p> <p>5 adherence.</p> <p>6 Q. What do you mean by compliance and adherence?</p> <p>7 A. So that they know how to properly take their</p> <p>8 medication, what the medication is for, and review with</p> <p>9 them the -- their overall drug profile.</p> <p>10 Q. And then you also mentioned New York State</p> <p>11 Department Adjuster. What does that entail?</p> <p>12 A. At this time I don't have any requirements that</p> <p>13 it -- that I'm required for that, so it's there, but I</p> <p>14 don't have any requirements for it.</p> <p>15 Q. What does a New York State Department Adjuster</p> <p>16 do?</p> <p>17 A. That is used in the managed care field or in the</p> <p>18 pharmacy management or if you needed to -- it's more on the</p> <p>19 business side. So it's not directly patient care. It's on</p> <p>20 the business side of the pharmacy.</p> <p>21 Q. What does that mean, more on -- more on the</p> <p>22 business side? What types of things?</p> <p>23 A. The organization I was employed with, Broadreach</p> <p>24 Medical Resources, it was beneficial to them if I had this</p> <p>25 adjuster license.</p>	<p>Page 22</p> <p>1 clinical affiliation in pain management and anesthesia at</p> <p>2 the Hospital for Special Surgery, correct?</p> <p>3 A. That is correct.</p> <p>4 Q. What does that position entail?</p> <p>5 A. That position required me to participate and</p> <p>6 understand the functions of anesthesiology and pain</p> <p>7 management of patients as it regards to their procedures</p> <p>8 that they were -- with regards to their procedures that</p> <p>9 they were having and work closely with the anesthesia team</p> <p>10 and pain management -- management team for management of</p> <p>11 that patient while they were in the hospital.</p> <p>12 Q. Did you have any sort of patient facing role in</p> <p>13 that position?</p> <p>14 A. The patients were in surgery, so I was in the</p> <p>15 surgery room with the anesthesiologists and then we would</p> <p>16 visit the patient in the post-op.</p> <p>17 Q. Okay. You didn't -- you didn't prescribe any</p> <p>18 medication or anything like that, correct?</p> <p>19 A. No, I did not.</p> <p>20 Q. Do you have the ability to prescribe medication?</p> <p>21 A. No, I do not.</p> <p>22 Q. Okay. And during what time did you have that</p> <p>23 clinical affiliation?</p> <p>24 A. That was during my time at St. John's pursuing</p> <p>25 the pharmacy -- my bachelor's of pharmacy degree.</p>
<p>1 Q. In what way was it beneficial?</p> <p>2 A. To adhere with requirements by New York State for</p> <p>3 the -- their type of business.</p> <p>4 Q. What responsibilities did you have with that</p> <p>5 employer as -- as an adjuster?</p> <p>6 A. My responsibilities to that employer were in the</p> <p>7 capacity of a clinical pharmacist and director of clinical</p> <p>8 operations, as well as client oversight as well.</p> <p>9 Q. Okay. I'm just trying to understand how the --</p> <p>10 the New York State Department Adjuster certification comes</p> <p>11 into play.</p> <p>12 A. Uh-huh.</p> <p>13 Q. What it allows you to do that you wouldn't be</p> <p>14 able to do if you had -- if you did not have that</p> <p>15 certification.</p> <p>16 A. It allows the organization to adhere with the</p> <p>17 requirements of New York State by having an adjuster's</p> <p>18 license -- an employee with an adjuster's license on staff.</p> <p>19 Q. Now, you also mentioned certain clinical</p> <p>20 affiliations in your CV?</p> <p>21 A. Yep.</p> <p>22 Q. And -- and those -- one of those is with Hospital</p> <p>23 of Special Surgery, correct?</p> <p>24 A. Correct.</p> <p>25 Q. You mention in your report that you have a</p>	<p>Page 23</p> <p>1 Q. Okay. And then you also list a clinical</p> <p>2 affiliation with Bellevue Medical Center.</p> <p>3 A. Yes.</p> <p>4 Q. And during what time did you hold that clinical</p> <p>5 affiliation?</p> <p>6 A. That clinical affiliation was done during my time</p> <p>7 pursuing my doctorate degree in pharmacy.</p> <p>8 Q. Okay. And what was your role with Bellevue</p> <p>9 Medical Center?</p> <p>10 A. My primary role was participation in the lipid</p> <p>11 and anticoagulation clinics, participation with the medical</p> <p>12 and pharmacy teams there to manage patients.</p> <p>13 Q. And then you've also listed a clinical</p> <p>14 affiliation with Northwell Health University.</p> <p>15 A. Correct.</p> <p>16 Q. During what time frame did you hold that clinical</p> <p>17 affiliation?</p> <p>18 A. That affiliation was done during my time at</p> <p>19 St. John's University pursuing the bachelor's of pharmacy</p> <p>20 degree.</p> <p>21 Q. And what was your role with Northwell Health?</p> <p>22 A. That was an internal medicine rotation with a</p> <p>23 focus on diabetes, participating in medical rounds and with</p> <p>24 physicians and pharmacists to manage patients with</p> <p>25 different diagnoses and conditions for which they were in</p>

7 (Pages 22 - 25)

	Page 26	
<p>1 the hospital.</p> <p>2 Q. And, finally, you list as -- under clinical</p> <p>3 affiliations, advisory panel member, AMGEN for Repatha?</p> <p>4 A. Correct.</p> <p>5 Q. During what time frame did you hold that</p> <p>6 position?</p> <p>7 A. 2019.</p> <p>8 Q. And what were your roles and responsibilities as</p> <p>9 an advisory panel member?</p> <p>10 A. I was asked to participate in the advisory panel</p> <p>11 for evaluation of Repatha and discussion about the use of</p> <p>12 the drug and -- in all capacities.</p> <p>13 Q. What type of drug is Repatha?</p> <p>14 A. Repatha is a lipid lowering drug or</p> <p>15 hypercholesterolemia drug intended for certain populations</p> <p>16 that meet the criteria for intended use.</p> <p>17 MR. MESTRE: If you're taking a pause, I just</p> <p>18 wanted to make my appearance. Jorge Mestre on behalf</p> <p>19 of the Plaintiffs. And I also wanted to make sure</p> <p>20 that we're not recording on the Zoom, correct?</p> <p>21 MR. KERNER: We are and we had that discussion.</p> <p>22 MR. MESTRE: Oh, we did?</p> <p>23 MS. ISIDRO: We had that discussion already.</p> <p>24 Yes.</p> <p>25 MR. MESTRE: Okay. Okay.</p>	Page 26	<p>1 verifying that that is the right medication, the right</p> <p>2 patient, and ensuring that there aren't any</p> <p>3 contraindications for the -- for the patient so.</p> <p>4 Q. And during part of this same time period you also</p> <p>5 worked at Broadreach Medical Resources; is that right?</p> <p>6 A. Correct.</p> <p>7 Q. That was from 2008 to 2018?</p> <p>8 A. Correct.</p> <p>9 Q. And what was your role at Broadreach?</p> <p>10 A. I had several roles -- roles there. I was a</p> <p>11 clinical pharmacist and then became the director of</p> <p>12 clinical operations and also the head of client management</p> <p>13 as well.</p> <p>14 Q. From what year to what year were you a clinical</p> <p>15 pharmacist at Broadreach?</p> <p>16 A. The entire time.</p> <p>17 Q. And from what year to what year were you director</p> <p>18 of clinical operation?</p> <p>19 A. As it states in my CV, 2008 through 2018.</p> <p>20 Q. So for the full time period?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And from what year to what year were you</p> <p>23 head of account services and client management?</p> <p>24 A. It was a couple years later so 2009 or 2010.</p> <p>25 Shortly thereafter.</p>
	Page 27	
<p>1 MR. KERNER: And your co-counsel noted your</p> <p>2 appearance earlier as well.</p> <p>3 MR. MESTRE: Thank you.</p> <p>4 BY MS. ISIDRO:</p> <p>5 Q. Dr. Panagos, you worked as a pharmacist at</p> <p>6 Walgreens in New York from 2000 to 2015; is that correct?</p> <p>7 A. That is correct.</p> <p>8 Q. Were you the lead pharmacist during that time?</p> <p>9 A. I was a staff pharmacist.</p> <p>10 Q. Okay. Besides staff pharmacist, did you ever</p> <p>11 have any other roles with Walgreens?</p> <p>12 A. No.</p> <p>13 Q. What were your duties and responsibilities as a</p> <p>14 staff pharmacist?</p> <p>15 A. To manage the pharmacy, so that's all aspects of</p> <p>16 the pharmacy at the time where I'm assigned, my hours of</p> <p>17 work, and so that includes the prescriptions, filling the</p> <p>18 prescriptions, reviewing, filling, dispensing, and</p> <p>19 counseling the -- the prescriptions that are coming in and</p> <p>20 for the patients that are coming in.</p> <p>21 I also supervise the technicians that are working</p> <p>22 in the pharmacy during that time. They fall under my</p> <p>23 supervision, including the interns that are on shift at the</p> <p>24 same time as I am. I'm also responsible that the drug</p> <p>25 product is the correct drug product is being filled and</p>	Page 27	<p>1 Q. Okay. So within a couple of years of starting at</p> <p>2 Broadreach through the end of your time there?</p> <p>3 A. Correct.</p> <p>4 Q. Okay. What was the split on your time between</p> <p>5 Broadreach and Walgreens during this time frame?</p> <p>6 A. I began my time with Broadreach initially</p> <p>7 part-time.</p> <p>8 Q. Uh-huh.</p> <p>9 A. And I was also part-time or per diem -- well,</p> <p>10 part-time with Walgreens at that time.</p> <p>11 Q. What were your duties and responsibilities as a</p> <p>12 clinical pharmacist- -- pharmacist at Broadreach?</p> <p>13 A. My duties included review of prior authorization</p> <p>14 requests, collaboration with prescribers as needed on</p> <p>15 behalf of those requests, collaboration with -- or outreach</p> <p>16 to patients as needed on behalf of those requests. So</p> <p>17 review of the prior authorization, completing that request,</p> <p>18 documenting the results or the findings, tracking that, and</p> <p>19 communicating appropriately.</p> <p>20 Q. What were your roles and responsibilities as</p> <p>21 director of clinical operations at Broadreach?</p> <p>22 A. My roles and responsibilities as clinical</p> <p>23 operations included ensuring that management of the</p> <p>24 formulary, management of the prior authorizations,</p> <p>25 management of every clinical aspect with regards to the</p>
	Page 29	

<p style="text-align: right;">Page 30</p> <p>1 prescription benefit was done efficiently in a proper      2 workflow.</p> <p>3 Q. And what were your roles and responsibilities as      4 head of client services and account management at      5 Broadreach?</p> <p>6 A. My roles and responsibilities included advising      7 patient -- clients on all aspects of their pharmacy      8 program, which includes their formulary, their plan design,      9 drugs covered and not covered, and providing them with      10 guidance on how to best do that.</p> <p>11 Q. Your CV states that you developed industry      12 exclusive prescription indemnity/reference based program      13 during your time at Broadreach. Can you tell us more about      14 that, what that entailed?</p> <p>15 A. That is a prescription type program that is --      16 takes a subset of drugs and applies -- creates a -- a plan      17 that clients or employers may choose if it's appropriate      18 for their employees as a prescription drug offering. It is      19 structured to allow kind of a different option for      20 employers to take for prescription benefits.</p> <p>21 Q. And what was your role in developing that      22 program?</p> <p>23 A. My role in developing that program included      24 choice of the medications that would be part of the product      25 offering and that includes both brands and generics, and</p>	<p style="text-align: right;">Page 32</p> <p>1 in terms of an evidence-based guidelines?</p> <p>2 A. The guidelines set forth by the medical community      3 for treatment of a patient with a diagnosis of asthma.</p> <p>4 Q. And for the other conditions that you mentioned,      5 is it the same --</p> <p>6 A. The same.</p> <p>7 Q. Okay. Your CV also states that you manage      8 integration of data across medical and prescription,      9 including population, health, and enrollment analytics?</p> <p>10 A. Correct.</p> <p>11 Q. Can you tell us more about what that entailed?</p> <p>12 A. Yes. My role included review and analysis of the      13 data that -- both on the prescription side and where      14 available on the medical side and being able to evaluate      15 that on behalf of our clients.</p> <p>16 Q. What do you mean by the data on the prescription      17 side?</p> <p>18 A. Claims data.</p> <p>19 Q. And what do you mean by the data on the medical      20 side?</p> <p>21 A. Likewise.</p> <p>22 Q. Where would you get that data?</p> <p>23 A. The data would come from the PBM or the medical      24 carrier.</p> <p>25 Q. And finally your CV states that you served as</p>
<p style="text-align: right;">Page 31</p> <p>1 how those medications would be structured within that      2 program for tiering or payments, et cetera.</p> <p>3 Q. Your CV also states that you designed evidence      4 based market competitive clinical programs with documented      5 ROI. Can you tell us what that refers to?</p> <p>6 A. Sure. Clinical programs are a part of a pharmacy      7 benefit offering and they are designed based on evidence      8 based guidelines, which are accepted in the healthcare      9 community as how you -- patients would be treated according      10 to the conditions that they have. So when you create a      11 clinical program, you do so on clinical merit but in the --      12 you structure it on clinical merit, but you also      13 incorporate other components essential to the prescription      14 drug benefit to help clients manage their population      15 and -- and it's linked to the formulary.</p> <p>16 Q. You referenced some evidence-based guidelines.      17 Are there specific evidence-based guidelines that you used      18 in putting together those programs?</p> <p>19 A. Yes.</p> <p>20 Q. Which ones?</p> <p>21 A. There were many.</p> <p>22 Q. Can you give some examples?</p> <p>23 A. Asthma, diabetes, cardiovascular, just to name a      24 few. There are many.</p> <p>25 Q. So when you say asthma, what does that refer to?</p>	<p style="text-align: right;">Page 33</p> <p>1 subject matter expert on all PBM clinical drug and      2 specialty items.</p> <p>3 A. That is correct.</p> <p>4 Q. What did you mean by served as a subject matter      5 expert on PBMs?</p> <p>6 A. So for our clients and -- I was the person who      7 they would come to for questions about determining -- any      8 question on PBM, actually. So I served as a subject matter      9 expert to advise on PBM and yeah.</p> <p>10 Q. And those clients were -- not -- not specific      11 names, but, you know, what -- what type of entities --</p> <p>12 A. Self-insured --</p> <p>13 Q. -- were those clients?</p> <p>14 A. -- clients, self-insured employer groups.</p> <p>15 MR. HANSEL: Please remember to let her finish      16 her question before you begin your answer.</p> <p>17 THE WITNESS: Okay. Thank you.</p> <p>18 BY MS. ISIDRO:</p> <p>19 Q. And what do you mean by served as a subject      20 matter expert on clinical, drug, and specialty items?</p> <p>21 A. Again, I would provide guidance and advisement on      22 drugs that are -- were on the formulary or even not on the      23 formulary. I'd provide the -- would answer any questions      24 related to those drugs.</p> <p>25 Q. What does the clinical refer to?</p>

<p style="text-align: right;">Page 34</p> <p>1        A. The clinical refers to the medication and the use          2 of the medication from my background and experience as a          3 pharmacist of being able to provide that thought process          4 around the discussion of the medication.</p> <p>5        Q. And what do you mean by specialty items?</p> <p>6        A. Specialty medications are part of a formulary and          7 they are -- there's -- there's no universal accepted          8 definition for specialty but they're -- tend to be for more          9 complex conditions.</p> <p>10      Q. Is that what you're referring to when you use          11 that term in your CV?</p> <p>12      A. Correct.</p> <p>13      Q. Okay. You also spent it seems like a year or          14 maybe less than a year at Smith Rx in San Francisco; is          15 that right?</p> <p>16      A. That is right.</p> <p>17      Q. How -- how -- what is the precise amount of time          18 that you spent at Smith Rx?</p> <p>19      A. I think it was from February to December. Yeah.</p> <p>20      Q. What was your role or roles within Smith Rx?</p> <p>21      A. Director of clinical services.</p> <p>22      Q. That was the only role you held there?</p> <p>23      A. Yes.</p> <p>24      Q. What were your -- your responsibilities under          25 that role?</p>	<p style="text-align: right;">Page 36</p> <p>1 industry experts, industry colleagues. Yeah.</p> <p>2        Q. You're the founder of AristaRx Wellness; is that          3 right?</p> <p>4        A. That is right.</p> <p>5        Q. And you began that in 2018 as well?</p> <p>6        A. Correct.</p> <p>7        Q. What is AristaRx Wellness?</p> <p>8        A. AristaRx Wellness is my LLC that I created.</p> <p>9        Q. What does -- what services does AristaRx Wellness          10 offer?</p> <p>11      A. Pharmacy benefit consulting.</p> <p>12      Q. And to whom do you offer that pharmacy benefit          13 consulting?</p> <p>14      A. To primarily self-insured employer groups but          15 could be any group that needs pharmacy benefit consulting.</p> <p>16      Q. Do you have any employees?</p> <p>17      A. No.</p> <p>18      Q. Are you the sole member of that LLC?</p> <p>19      A. Yes.</p> <p>20      Q. And what are your duties and responsibilities          21 within AristaRx Wellness?</p> <p>22      A. To provide pharmacy benefit consulting to my          23 clients.</p> <p>24      Q. Is that still an active company?</p> <p>25      A. Yes.</p>
<p style="text-align: right;">Page 35</p> <p>1        A. To set up the pharmacy benefits with regards to          2 formulary, prior authorization, reviews to ensure that          3 those were done appropriately and manage the formulary.</p> <p>4        Q. Why did you leave that position?</p> <p>5        A. There are several reasons. One, distance from my          6 home.</p> <p>7        Q. Your home was in New York at that time?</p> <p>8        A. Correct.</p> <p>9        Q. What were some of the other reasons?</p> <p>10      A. Primarily distance from my home.</p> <p>11      Q. And you've been on the Council of Strategic          12 Healthcare Advisors since 2018?</p> <p>13      A. Yes.</p> <p>14      Q. What are your roles and responsibilities there?</p> <p>15      A. They call upon my expertise as needed for cases          16 or surveys, clinical related items for which they deem my          17 qualification's appropriate for response.</p> <p>18      Q. Who are you advising in that role?</p> <p>19      A. Whatever the particular project at that time          20 calls for, who -- whomever that may be.</p> <p>21      Q. What -- are these -- are these all different          22 types of business entities?</p> <p>23      A. It could be.</p> <p>24      Q. What else could it be?</p> <p>25      A. It could be other healthcare professionals,</p>	<p style="text-align: right;">Page 37</p> <p>1        Q. And the business address that you gave earlier          2 here in Florida, is that for AristaRx Wellness?</p> <p>3        A. No.</p> <p>4        Q. Okay. What entity was that address for?</p> <p>5        A. ARMSRx.</p> <p>6        Q. ARMSRx. And you've been with ARMSRx since 2019?</p> <p>7        A. Yes.</p> <p>8        Q. What is -- what roles have you held within          9 ARMSRx?</p> <p>10      A. Senior vice president and executive vice          11 president.</p> <p>12      Q. And during what time frame were you senior vice          13 president?</p> <p>14      A. 2019 through 2021, as listed on my CV.</p> <p>15      Q. And executive vice president during what time          16 frame?</p> <p>17      A. 2021 till present.</p> <p>18      Q. Okay. What were your roles and responsibilities          19 as senior VP?</p> <p>20      A. To provide advice and guidance to our clients          21 with regards to their pharmacy benefit program, all aspects          22 of their pharmacy benefit program.</p> <p>23      Q. And what are your roles and responsibilities as          24 executive vice president?</p> <p>25      A. To provide advisement and guidance to our clients</p>

<p style="text-align: right;">Page 38</p> <p>1 with respect to their pharmacy benefit program, all      2 aspects, and I also oversee or have individuals within our      3 organization who report up to me.</p> <p>4 Q. Okay. So you didn't have individuals who      5 reported up to you as a senior VP?</p> <p>6 A. I -- right.</p> <p>7 Q. Okay.</p> <p>8 A. They -- they report up to me now.</p> <p>9 Q. Okay. Was that the only way in which your role      10 changed from senior VP to executive VP?</p> <p>11 A. Yes.</p> <p>12 Q. How many people report to you as EVP at ARMSRx?</p> <p>13 A. Two.</p> <p>14 Q. And what are their roles?</p> <p>15 A. They are in account management and PBM      16 operations.</p> <p>17 Q. Doctor, you mention in your report that you have      18 20 years of experience, half of which has been dedicated to      19 the managed care and pharmacy consulting industry      20 overseeing clinical development, overall PBM operations,      21 and client services/management, working primarily with      22 self-insured clients, third-party administrators, and TPPs;      23 is that right?</p> <p>24 A. That is right.</p> <p>25 Q. What is a TPP?</p>	<p style="text-align: right;">Page 40</p> <p>1 the confines of their organization.</p> <p>2 Q. Okay. What is a TPA?</p> <p>3 A. Third-party administrator.</p> <p>4 Q. What does a third-party administrator do?</p> <p>5 A. They would administer the benefits, you know, on      6 behalf of an entity or a group.</p> <p>7 Q. And how does that differ from a TPP, if at all?</p> <p>8 A. So the third-party payer has ultimate      9 responsibility for -- at risk for those claims. A TPA will      10 manage the claims processing and the functions associated      11 with the benefit but may not have ultimate responsibility      12 or at risk for the claims.</p> <p>13 Q. Okay. Now, I see you have a few documents in      14 front of you right now. One of them is Exhibit 1, another      15 one is Exhibit 2, but it looks like you might have a few      16 other documents as well; is that right?</p> <p>17 A. Yes.</p> <p>18 Q. What are the other documents that you have in      19 front of you?</p> <p>20 A. My statement, my opinion, my expert report.</p> <p>21 Q. Okay. Anything else that you have in front of      22 you right now?</p> <p>23 A. Not document-wise.</p> <p>24 Q. Okay. And this copy of your expert report is one      25 that you've brought with you today, yourself?</p>
<p style="text-align: right;">Page 39</p> <p>1 A. A third-party payer.</p> <p>2 Q. And can you describe what a third-party payer is      3 or does?</p> <p>4 A. They are responsible for reimbursement or      5 management of the health care claims, including the      6 prescription benefit.</p> <p>7 Q. And how, if at all, is a TPP different from a      8 self-insured employer?</p> <p>9 MR. HANSEL: Object to the form.</p> <p>10 A. Could you be more specific?</p> <p>11 BY MS. ISIDRO:</p> <p>12 Q. Are there any ways in which a TPP differs from a      13 self-insured employer?</p> <p>14 A. There could be.</p> <p>15 Q. What are some of the ways in which they could      16 differ?</p> <p>17 A. Could you be more specific?</p> <p>18 Q. You said there could be differences, so I'm just      19 asking you to elaborate on that.</p> <p>20 What are some of the differences that could      21 exist?</p> <p>22 A. Third-party payers are responsible for the      23 management and reimbursement of the healthcare claims,      24 including the prescription benefit. Self-insured employers      25 would also be responsible in that same capacity but within</p>	<p style="text-align: right;">Page 41</p> <p>1 A. Yes.</p> <p>2 Q. Okay. What is the nature of your work with TPPs?</p> <p>3 A. The nature of my work in my role or as a pharmacy      4 benefit consultant -- consultant is to advise on the      5 benefits in all aspects, including formulary, design, and      6 formulary ongoing management, utilization management      7 programs, plan design updates, and -- and all functions      8 related to the pharmacy benefit program.</p> <p>9 Q. Do you have any experience with P&amp;T committees?</p> <p>10 A. I do.</p> <p>11 Q. What is the nature of your experience with P&amp;T      12 committees?</p> <p>13 A. Throughout my -- my career as a pharmacist, being      14 intimately familiar with P&amp;T committees is -- and      15 understanding what their function is, has been integral in      16 all aspects of my career.</p> <p>17 I have reviewed countless minutes from P&amp;T      18 committees. I do that on an ongoing basis to keep track      19 of, if you will, what the progress is and what the      20 functions and what -- the ongoing developments of the P&amp;T      21 committee, and so I'm -- you know, I'm very familiar with      22 what they do and I have, you know, visibility into the P&amp;T      23 committees with whom my clients are engaged with, are      24 involved with.</p> <p>25 Q. How do you obtain these minutes from P&amp;T</p>

<p>1    committees?</p> <p>2    A. I request them.</p> <p>3    Q. From whom?</p> <p>4    A. Whomever the P&amp;T committee is with.</p> <p>5    Q. And what -- what entities have you requested P&amp;T</p> <p>6    committee's minutes from?</p> <p>7    A. PBMs and health plans.</p> <p>8    Q. Which specific ones?</p> <p>9    A. That's confidential information.</p> <p>10   Q. Why is that confidential information?</p> <p>11   A. It's tied into the clients that I provide</p> <p>12   counseling -- consulting for.</p> <p>13   Q. In connection with which company or which of your</p> <p>14   roles?</p> <p>15   A. My current role at ARMSRx.</p> <p>16   Q. Only at ARMSRx?</p> <p>17   A. Yes.</p> <p>18   Q. Have you ever been a TPP employee?</p> <p>19   A. No.</p> <p>20   Q. Have you ever been a member of a P&amp;T committee?</p> <p>21   A. No.</p> <p>22   Q. Do you consider MSP to be a TPP committee?</p> <p>23   A. No.</p> <p>24   Q. And is it possible sometimes for both a TPA and a</p> <p>25   TPP to be involved in processing a particular claim?</p>	<p>Page 42</p> <p>1    A. No.</p> <p>2    Q. Which would be listed?</p> <p>3    A. Standard industry claims data for prescriptions</p> <p>4    would list the client as part of, you know, the fields, the</p> <p>5    client -- whoever the client is.</p> <p>6    Q. And would the client -- am I understanding</p> <p>7    correctly that the client would be either the TPA or the</p> <p>8    TPP?</p> <p>9    A. If you're asking with regards to claims data, the</p> <p>10   information within the industry claims data extract would</p> <p>11   include the client that is have -- that is receiving the</p> <p>12   prescription benefit. So it's tied directly into the</p> <p>13   client, whoever that entity is.</p> <p>14   Q. Okay. So it may not be possible from that</p> <p>15   information alone to tell whether the third party in each</p> <p>16   claim is a TPP or a TPA?</p> <p>17   A. From that data alone, no.</p> <p>18   Q. Okay. Dr. Panagos, you also list on your CV</p> <p>19   certain professional organizations that you're a member of;</p> <p>20   is that right?</p> <p>21   A. Yes.</p> <p>22   Q. You're a member of the American College of</p> <p>23   Healthcare Executives?</p> <p>24   A. Yes.</p> <p>25   Q. When did you first become a member?</p>
<p>1    MR. WHARTON: Can I hear that question again,</p> <p>2    please?</p> <p>3    MS. ISIDRO: Can you read it back, please?</p> <p>4    (The requested portion was read back.)</p> <p>5    A. TPAs manage the claims. They are not processing</p> <p>6    claims.</p> <p>7    BY MS. ISIDRO:</p> <p>8    Q. Who -- who does the pharmacy expect payment from</p> <p>9    among a TPA or a TPP?</p> <p>10   A. It depends on the structure of the arrangement</p> <p>11   and who's ultimately -- oh -- responsible for the payments.</p> <p>12   Q. So sometimes the pharmacy might expect payment</p> <p>13   from the TPA first, right?</p> <p>14   A. Could you be more specific?</p> <p>15   Q. You mentioned it depends on the structure of the</p> <p>16   particular arrangement, correct?</p> <p>17   A. Correct.</p> <p>18   Q. Are there sometimes arrangements where the</p> <p>19   pharmacy might expect payment from the TPA first?</p> <p>20   A. That wasn't the focus of my opinion that I'm</p> <p>21   rendering here today, but to answer the question, it could</p> <p>22   be.</p> <p>23   Q. In your experience with claim adjudication</p> <p>24   platforms, would both the TPA and the TPP be listed in the</p> <p>25   claims data?</p>	<p>Page 43</p> <p>1    A. 2019.</p> <p>2    Q. And you're still a member currently?</p> <p>3    A. Yes.</p> <p>4    Q. What is required to become a member of that</p> <p>5    organization?</p> <p>6    A. The requirements are listed on the website.</p> <p>7    There are certain qualifications and criteria that you must</p> <p>8    meet, and I don't recall them all at this moment.</p> <p>9    Q. Okay. Do you --</p> <p>10   A. But they are listed there.</p> <p>11   Q. Do you recall any?</p> <p>12   A. Must be a pharmacist in good standing or a</p> <p>13   healthcare professional in good standing.</p> <p>14   Q. Okay.</p> <p>15   A. Uh-huh.</p> <p>16   Q. And you're also a member of the Academy of</p> <p>17   Managed Care Pharmacy; is that right?</p> <p>18   A. Yes.</p> <p>19   Q. When did you become a member of that</p> <p>20   organization?</p> <p>21   A. When I was in pharmacy school.</p> <p>22   Q. And you're still a member currently?</p> <p>23   A. Yes.</p> <p>24   Q. What is required to become a member of that</p> <p>25   organization?</p>

12 (Pages 42 - 45)

<p style="text-align: right;">Page 46</p> <p>1     A. Again, those requirements are listed on the      2 website and they -- it's a professional license or      3 non- -- non-licensed individuals listed on the website.      4     Q. Okay. You're a member of Women Leading      5 Healthcare; is that right?      6     A. Yes.      7     Q. When did you become a member of that      8 organization?      9     A. 2020. Yeah. More recent.      10    Q. And what is required to become a member of Women      11 Leading Healthcare?      12    A. Yes. That requires an appointment. You have to      13 be invited to join by a current member.      14    Q. And whom were you invited by?      15    A. I was invited by a colleague who worked with me      16 at the time.      17    Q. Worked with you at which of your --      18    A. At ARMSRx.      19    Q. You're also a member of Healthcare      20 Businesswomen's Association?      21    A. Yes.      22    Q. When did you become a member?      23    A. I don't remember exactly the year.      24    Q. Do you remember approximately?      25    A. Maybe 2019, around that time.</p>	<p style="text-align: right;">Page 48</p> <p>1     pharmacy school.      2     Q. Okay. And you're still a member today?      3     A. Correct.      4     Q. What is required to become a member of that      5 organization?      6     A. It's listed on the site. A professional licensed      7 or non-licensed individuals may join and they -- a      8 pharmacist in good standing.      9     Q. Are you a member of any other professional      10 organization besides the ones we've just discussed?      11    A. No.      12    Q. During your professional career, have you been a      13 member of any other professional organization besides the      14 ones we've just discussed?      15    A. No.      16    Q. Okay. And do you know whether there are any      17 protocols, standards, or guidelines relating to the      18 practice of pharmacy that are promulgated by any of these      19 professional organizations?      20    A. Would you please restate the question?      21    Q. Sure. Why don't we start with the American      22 College of Healthcare Executives. Does the American      23 College of Healthcare Executives have any protocols,      24 standards, or guidelines relating to the practice of      25 pharmacy?</p>
<p style="text-align: right;">Page 47</p> <p>1     Q. Okay.      2     A. 2019.      3     Q. So recently, in the last few years?      4     A. Uh-huh.      5     Q. Okay. What is required to become a member of      6 Healthcare Businesswomen's Association?      7     A. It would be -- again, it's listed on the website,      8 all the criteria, but be in the healthcare field, be a      9 woman in the healthcare field.      10    Q. You're also a member of the American Association      11 of Consultant Pharmacists?      12    A. Correct.      13    Q. When did you become a member?      14    A. 2019 as well. 2018 perhaps. I don't remember      15 exactly.      16    Q. Okay. What is required to become a member of      17 that organization?      18    A. Again, those requirements are listed on the      19 organization's site and among them include being a      20 pharmacist in good standing.      21    Q. And, finally, you're a member of the American      22 Society of Health Systems Pharmacists?      23    A. Correct.      24    Q. When did you become a member?      25    A. I initially became a member when I was in</p>	<p style="text-align: right;">Page 49</p> <p>1     A. No.      2     Q. Does the Academy of Managed Care Pharmacy have      3 any protocols, standards, or guidelines relating to the      4 practice of pharmacy?      5     A. Could you restate that question?      6     Q. Do you know whether the Academy of Managed Care      7 Pharmacy has any guidelines relating to the practice of      8 pharmacy?      9     A. Within the scope of managed care, they may      10 provide recommendations or guidance.      11    Q. Are there any that -- that you are personally      12 aware of?      13    A. As part of my role in my -- in my day-to-day      14 functions, I review guidance and literature from these      15 organizations and part of up -- keeping up with industry      16 practice, and so it's always evolving, changing, and      17 there's -- based on what's happening in the pharmacy      18 practice and managed care world.      19    Q. Does the Women Leading Healthcare organization      20 issue any guidelines, protocols, or standards with respect      21 to the practice of pharmacy?      22    A. Not that I'm aware of.      23    Q. How about the Healthcare Businesswomen's      24 Association?      25    A. Not that I am aware of.</p>

<p style="text-align: right;">Page 50</p> <p>1 Q. Does the American Association of Consultant      2 Pharmacists issue any guidelines relating to the practice      3 of pharmacy?      4 A. No, not guidelines.      5 Q. Any protocols relating to the practice of      6 pharmacy?      7 A. No.      8 Q. Any standards relating to the proto- -- to the      9 practice of pharmacy?      10 A. No.      11 Q. Does the American Association of Consultant      12 Pharmacists issue any sort of statements at all with      13 respect to the practice of pharmacy?      14 A. Yes. They provide information with regards to      consultant -- consulting pharmacy, yeah, so.      16 Q. What type of information?      17 A. Relevant to the field of consulting -- consultant      pharmacists, and that could be all -- anything related to      the pharmacy field.      20 Q. Is that in the nature of continuing education      information?      22 A. They do have continuing education, yes.      23 Q. What other types of information?      24 A. Industry information, clinical information as it      regards for consultant pharmacists. So anything tied into</p>	<p style="text-align: right;">Page 52</p> <p>1 research regarding nitrosamines?      2 A. No.      3 Q. Have you ever engaged in any professional      4 research regarding nitrosamines?      5 A. No.      6 Q. Have you ever published any articles relating to      7 nitrosamines?      8 A. No.      9 Q. Have you ever published any articles addressing      10 warranties?      11 A. No.      12 Q. Have you ever published any articles relating to      13 Valsartan or Valsartan-containing drugs?      14 A. No.      15 Q. Have you ever published any articles relating to      16 bioequivalence?      17 A. No.      18 Q. Have you ever published any articles relating to      19 the FDA regulatory requirements that apply to      20 pharmaceutical products?      21 A. No.      22 Q. Have you ever engaged in any academic or      23 professional research relating to Valsartan or      24 Valsartan-containing drugs?      25 MR. HANSEL: Object to the form.</p>
<p style="text-align: right;">Page 51</p> <p>1 the pharmacy practice before consulting is -- could be      2 on -- could be on their site or available.      3 Q. And does the American Society of Health System      4 Pharmacists issue any protocol, standards, or guidelines      5 relating to the practice of pharmacy?      6 A. Yes, they could.      7 Q. Are you personally aware of any protocols,      8 standards, or guidelines that they've issued with respect      9 to the practice of pharmacy?      10 A. They provide, you know, recommendations with      11 regards to health system pharmacists and function within      12 that capacity.      13 Q. Are you aware whether any of the professional      14 organizations that you're a member of issue any protocol,      15 standards, or guidelines with respect to litigation      16 consulting?      17 A. No.      18 Q. No you're not aware or you know that they don't?      19 A. No, I'm not aware.      20 Q. Okay. And do you know whether any of the      21 professional organizations that you're a member of issue      22 any protocols, standards, or guidelines with respect to      23 providing expert testimony?      24 A. No, I'm not aware.      25 Q. Okay. Have you ever engaged in any academic</p>	<p style="text-align: right;">Page 53</p> <p>1 A. Could you restate the question, please?      2 BY MS. ISIDRO:      3 Q. Sure. Have you ever engaged in any academic      4 research relating to Valsartan or Valsartan-containing      5 drugs?      6 MR. HANSEL: Object to the form.      7 A. No.      8 BY MS. ISIDRO:      9 Q. Have you ever engaged in any professional      10 research relating to Valsartan or Valsartan-containing      11 drugs?      12 MR. HANSEL: Object to the form.      13 A. Could you be more specific?      14 BY MS. ISIDRO:      15 Q. Have you ever researched Valsartan in connection      16 with your professional responsibilities?      17 A. Yes.      18 Q. In what context?      19 A. Again, I, in my role as a clinical pharmacist and      20 consultant, I am staying, you know, up to date with all      21 clinical information, pharmacy updates, medication updates,      22 new to drug -- new to market generic brands, generic      23 specialty, and so it -- I am knowledgeable on the drug.      24 Q. So when you say you're knowledgeable on the drug,      25 what are you referring to?</p>

14 (Pages 50 - 53)

<p style="text-align: right;">Page 54</p> <p>1        A. I understand what its intended use is for, what      2 category, therapeutic category it's in, the -- its      3 current -- its standing for inclusion in a formulary, and      4 all components, you know, related to the medication in      5 terms of formulary placement.</p> <p>6        Q. Anything else?</p> <p>7            MR. HANSEL: Object to the form.</p> <p>8        A. Could you be more specific?</p> <p>9        BY MS. ISIDRO:</p> <p>10      Q. Have you conducted any research in Valsartan      11 other -- on Valsartan other than the categories that you      12 just mentioned?</p> <p>13      A. No.</p> <p>14      Q. Have you ever engaged in any academic or      15 professional research regarding bioequivalence?</p> <p>16            MR. HANSEL: Object to the form.</p> <p>17      A. My education and my experience are -- involve      18 those -- aspects of bioequivalence, and those are part of      19 the components.</p> <p>20        BY MS. ISIDRO:</p> <p>21      Q. Sorry, part of the components of your      22 education?</p> <p>23      A. It's part of the curriculum in some way --      24 throughout the pharmacy program. So it is -- it's not      25 unfamiliar to me.</p>	<p style="text-align: right;">Page 56</p> <p>1        BY MS. ISIDRO:</p> <p>2            Q. As you sit here today, can you recall whether any      3 of those requirements including a course specifically on      4 bioequivalence?</p> <p>5            MR. HANSEL: Object to the form.</p> <p>6        A. No.</p> <p>7        BY MS. ISIDRO:</p> <p>8            Q. Have you ever authored any publications relating      9 to epidemiology?</p> <p>10      A. No.</p> <p>11      Q. Have you published any -- withdrawn. Let me      12 rephrase that.</p> <p>13      Have you authored any publications in the last      14 ten years?</p> <p>15      A. No.</p> <p>16      Q. Have you ever authored any publications?</p> <p>17      A. No.</p> <p>18      Q. Have you ever given any presentations relating to      19 nitrosamines?</p> <p>20      A. No.</p> <p>21      Q. Have you ever given any presentations relating to      22 product warranties?</p> <p>23            MR. HANSEL: Object to the form.</p> <p>24      A. I advise my clients on drugs standing -- approval      25 standing, standing, and with regards to helping them with</p>
<p style="text-align: right;">Page 55</p> <p>1        Q. Did you take any courses on bioequivalence during      2 your pharmacy education?</p> <p>3        A. Bioequivalence was incorporated into many courses      4 within the pharmacy program as it relates to the      5 medications we were studying at the time.</p> <p>6        Q. So bioequivalence -- bioequivalence is a concept      7 that you're familiar with from your education as a      8 pharmacist, but you haven't taken any courses specifically      9 on bioequivalence; is that correct?</p> <p>10          MR. HANSEL: Object to the form.</p> <p>11          A. The -- I completed all the coursework required      12 for pharm- -- the pharmacy degree, both the bachelor's      13 degree and the doctor of pharmacy degree and fulfilled all      14 the requirements that those entail.</p> <p>15        BY MS. ISIDRO:</p> <p>16          Q. As you sit here today, you can't specifically      17 recall whether that entailed a course specifically on      18 bioequivalence?</p> <p>19          MR. HANSEL: Object to the form.</p> <p>20          A. Again, I completed all of the coursework required      21 for a pharmacy degree and I fulfilled all the requirements      22 for both bachelor's and doctorate of pharmacy degree,      23 including licensure in the State of New York that -- I      24 sufficed all of the academic requirements for all the      25 classwork.</p>	<p style="text-align: right;">Page 57</p> <p>1        the formulary.</p> <p>2        BY MS. ISIDRO:</p> <p>3            Q. And how does that relate to product warranties?</p> <p>4            A. That the drug is in good standing and meets the      5 criteria for approval approved by the FDA.</p> <p>6            Q. So you've never given a presentation, the focus      7 of which is product warranties?</p> <p>8            MR. HANSEL: Object to the form.</p> <p>9            A. My professional capacity includes advising my      10 clients and providing them guidance on -- on various drug      11 products, structure of their prescription benefit program,      12 and approvals and drugs in good standing for consideration      13 on the formulary.</p> <p>14        BY MS. ISIDRO:</p> <p>15          Q. Okay. I'm not asking you though about your      16 responsibilities in your client work. I'm asking about      17 whether you have ever given a verbal presentation to a      18 group of people with a topic focus on product warranties.</p> <p>19          MR. HANSEL: Object to the form.</p> <p>20          A. I have given a -- I have spoken to groups of      21 people with regards to the promises that a -- a drug is      22 listed to have or the approval that it has.</p> <p>23        BY MS. ISIDRO:</p> <p>24          Q. How many times have you given that presentation?</p> <p>25          A. Many.</p>

Page 58	Page 60
<p>1 Q. To whom?</p> <p>2 A. To my clients.</p> <p>3 Q. Your clients in connection with which of your</p> <p>4 jobs?</p> <p>5 A. All of them.</p> <p>6 Q. And do you have Power Points that you use for</p> <p>7 those presentations?</p> <p>8 A. I have used Power Points.</p> <p>9 Q. Do you keep those Power Points?</p> <p>10 A. I share those with the clients.</p> <p>11 Q. What have the titles of those presentations been?</p> <p>12 A. Those are specific to the client and tied into</p> <p>13 their prescription benefit program.</p> <p>14 Q. And has any of those presentations been</p> <p>15 specifically focused on the topic of product warranties?</p> <p>16 MR. HANSEL: Object to the form.</p> <p>17 A. Product warranties are the promises that products</p> <p>18 make for consideration for inclusion on the pharmacy</p> <p>19 formulary is a component of that discussion.</p> <p>20 BY MS. ISIDRO:</p> <p>21 Q. What do you understand by the term product</p> <p>22 warranties?</p> <p>23 A. Product warranty is the promise that that product</p> <p>24 makes that it is safe and effective and meets the criteria</p> <p>25 for approval, as established by the FDA.</p>	<p>1 A. I have given presentations on drug products that</p> <p>2 are approved for use by the FDA.</p> <p>3 MS. ISIDRO: Sorry, can you read back my</p> <p>4 question, please?</p> <p>5 (The requested portion was read back.)</p> <p>6 MR. HANSEL: I object to the form of the</p> <p>7 question. Calls for a legal conclusion; asked and</p> <p>8 answered.</p> <p>9 A. I have given presentations with regard to</p> <p>10 approved drug products for consideration on product</p> <p>11 formularies, pharmacy benefit programs.</p> <p>12 BY MS. ISIDRO:</p> <p>13 Q. So is that a no, outside of your client work</p> <p>14 you've never given formal presentations on product</p> <p>15 warranties?</p> <p>16 MR. HANSEL: Object to the form.</p> <p>17 A. I have spoken about drug products that are</p> <p>18 approved for use to individuals and groups outside of my</p> <p>19 client base as well.</p> <p>20 BY MS. ISIDRO:</p> <p>21 Q. And to whom have you given those presentations?</p> <p>22 A. My patient to patient interactions, as well as my</p> <p>23 academic work with students.</p> <p>24 Q. So you consider your patient to patient</p> <p>25 interactions to be formal presentations?</p>
Page 59	Page 61
<p>1 Q. What is the basis of your understanding as to the</p> <p>2 meaning of the term product warranties?</p> <p>3 A. The basis of my understanding pulls in my many</p> <p>4 years of education, my many years of experience in the</p> <p>5 pharmacy roles that I've held, and my many years of</p> <p>6 experience in my consulting role, providing guidance to</p> <p>7 clients about their prescription benefit program and all</p> <p>8 aspects related to that.</p> <p>9 Q. Is it based on anything else or have we just</p> <p>10 fully discussed your basis for your understanding of that</p> <p>11 term?</p> <p>12 A. I've provided you the basis for that.</p> <p>13 THE WITNESS: May I take a break?</p> <p>14 MR. HANSEL: Yes.</p> <p>15 MS. ISIDRO: Sure.</p> <p>16 THE WITNESS: Thank you.</p> <p>17 THE VIDEOGRAPHER: The time is 10:49 a.m., and</p> <p>18 we're going off record.</p> <p>19 (Break taken.)</p> <p>20 THE VIDEOGRAPHER: The time is 11:08 a.m., and</p> <p>21 we're back on the record.</p> <p>22 BY MS. ISIDRO:</p> <p>23 Q. Dr. Panagos, outside of your client work, have</p> <p>24 you ever given any formal presentations on product</p> <p>25 warranties?</p>	<p>1 A. The patient to patient ones are -- the one on one</p> <p>2 ones are not formal.</p> <p>3 Q. Are you --</p> <p>4 A. But they are a presentation to the patient about</p> <p>5 their drug.</p> <p>6 Q. So when you refer to your patient to patient</p> <p>7 interactions, are you referring to any that are not one on</p> <p>8 one?</p> <p>9 A. In that respect it would be members that are part</p> <p>10 of my client base. So it could be more than one.</p> <p>11 Q. Sorry. We were talking about outside of your</p> <p>12 client base?</p> <p>13 MR. HANSEL: Object to the form.</p> <p>14 BY MS. ISIDRO:</p> <p>15 Q. Isn't that right?</p> <p>16 MR. HANSEL: Object to the form.</p> <p>17 A. When consulting a patient regarding their</p> <p>18 medication it is pharmacist to patient.</p> <p>19 BY MS. ISIDRO:</p> <p>20 Q. Okay. And that's one on one?</p> <p>21 A. Yes.</p> <p>22 Q. Other than that, can you think of any formal</p> <p>23 presentations that you've given outside of your client work</p> <p>24 relating to -- to product warranties?</p> <p>25 MR. HANSEL: Object to the form.</p>

<p style="text-align: right;">Page 62</p> <p>1        A. The presentations that I have done are listed in      2 my CV and what I've expressed to you just now.      3 BY MS. ISIDRO:      4        Q. Okay. So if it's not listed in your CV, you      5 haven't given a formal presentation on it?      6        MR. HANSEL: Objection. That's not what she just      7 said.      8        MS. ISIDRO: Can you read back the last response,      9 please?      10        (The requested portion was read back.)      11 BY MS. ISIDRO:      12        Q. So am I understanding correctly that you have not      13 given any formal presentations outside of what is listed in      14 your CV?      15        MR. HANSEL: Object to the form.      16        A. No, that's not what I said. I said what is      17 listed in my CV and what I have just expressed to you in      18 terms of presentations to my clients regarding their drug      19 product or prescription benefit program.      20 BY MS. ISIDRO:      21        Q. Okay. And outside of those two categories, there      22 aren't any other formal presentations that you've given?      23        MR. HANSEL: Object to the form.      24        A. Formal presentations may include the work I did      25 in academia with my students regarding drug products that</p>	<p style="text-align: right;">Page 64</p> <p>1        the courses that fall under that division so.      2        Q. And what were the titles of you -- of the courses      3 that you taught in that role?      4        A. I cannot recall at this time.      5        Q. Is there anywhere that you would be able to find      6 that information?      7        A. Yes.      8        Q. Where?      9        A. In the records during my time there. It's      10 information that I've had -- I had with respect to the      11 courses.      12        Q. You say records of your time there. Are you      13 referring to your personal records or the organization's      14 records?      15        A. They would be in both.      16        Q. Now, looking at Page 3 of your CV, under      17 communication, you state that you were a presenter PBMI      18 Opioid epidemic, Health Underwriters organizations?      19        A. Correct.      20        Q. Can you describe what that refers to?      21        A. PBI (sic) is the Pharmacy Benefit Management      22 Institute and they hold webinars of -- related to the      23 profession and I was a presenter along with my colleague at      24 the time for a presentation on the Opioid epidemic.      25        Q. When was that presentation?</p>
<p style="text-align: right;">Page 63</p> <p>1 are approved.      2 BY MS. ISIDRO:      3        Q. Have you ever taught a course relating to --      4 withdrawn.      5        What are the titles of the courses you've taught?      6        A. One of the --      7        MR. HANSEL: Objection: Asked and answered.      8        A. Pharmacy orientation is one course.      9 BY MS. ISIDRO:      10        Q. Any others?      11        A. The others were recitation courses and the      12 department of social sciences and administrative services      13 within the pharmacy program.      14        Q. What were the titles of those courses?      15        A. Those are listed in my CV.      16        Q. Can -- on which page?      17        A. Page 2.      18        Q. Can you show me where it lists the titles of the      19 courses?      20        A. It lists that I was an adjunct assistant      21 professor of pharmacy in the division of social and      22 administrative sciences.      23        Q. So it doesn't list the titles of the courses that      24 you taught in that role?      25        A. Correct. Those were recitation courses tied into</p>	<p style="text-align: right;">Page 65</p> <p>1        A. 2016.      2        Q. Do you still have the materials from that      3 presentation?      4        A. No, I do not.      5        Q. Were you paid to give that presentation?      6        A. No, I was not.      7        Q. And was that presentation via webinar you said?      8        A. Yes.      9        Q. Do you know how many people attended that      10 presentation?      11        A. No.      12        Q. Other than your pharmacy license in New York, do      13 you hold any other professional licenses?      14        A. No.      15        Q. Have you ever had your license suspended?      16        A. No.      17        Q. Have you ever been punished or sanctioned in any      18 way by a professional board?      19        A. No.      20        Q. Have you ever worked or consulted with FDA?      21        A. No.      22        Q. Do you hold yourself out as an FDA regulatory      23 expert?      24        MR. HANSEL: Object to the form of the question.      25        A. I hold myself as an expert on what the FDA has</p>

<p style="text-align: right;">Page 66</p> <p>1 approved for drug products, both brand and generics.      2 BY MS. ISIDRO:      3 Q. Do you hold yourself out as an expert on the      4 process for approval of pharmaceutical products by the FDA?      5 MR. HANSEL: Object to the form.      6 A. I understand what the process entails by the FDA.      7 BY MS. ISIDRO:      8 Q. That wasn't my question. My question was do you      9 hold yourself out as an expert on the process for approval      10 of pharmaceutical products by the FDA?      11 MR. HANSEL: Objection.      12 A. Could you be more specific?      13 MR. HANSEL: Excuse me. Asked and answered and      14 that's -- that's getting into a little bit of      15 harassment territory. She answered the question.      16 MS. ISIDRO: I take issue with your      17 characterization of that question as harassing. The      18 witness is consistently failing to answer the question      19 that is asked. This deposition is going to go for a      20 really long time if that continues.      21 The witness is being asked a question. If she      22 doesn't understand the question, she can let me know      23 that she doesn't understand the question, but,      24 otherwise, I expect the witness to answer the question      25 that's been asked.</p>	<p style="text-align: right;">Page 68</p> <p>1 (The requested portion was read back.)      2 BY MS. ISIDRO:      3 Q. Dr. Panagos, are you offering any expert opinions      4 in this litigation on the process for approval of      5 pharmaceutical products by the FDA?      6 A. The process by -- for approval is established by      7 the FDA --      8 Q. Doctor, I'm going to stop you right there.      9 MR. HANSEL: Excuse me. Let her finish her      10 answer.      11 BY MS. ISIDRO:      12 Q. I'm asking you yes or no questions --      13 MR. HANSEL: Objection. No. You just      14 interrupted the witness. That's unacceptable.      15 MS. ISIDRO: I am asking yes or no questions.      16 You're making speaking objections, which are      17 unacceptable.      18 MR. HONIK: Let's go off the record. This is      19 Ruben Honik. Is the court reporter taking down my      20 comment?      21 THE VIDEOGRAPHER: The time is 11:24. We're      22 going off record.      23 (Off the record.)      24 MR. HANSEL: This is Greg Hansel. We're going      25 back on the stenographic record. We are on the record</p>
<p style="text-align: right;">Page 67</p> <p>1 Can you please read back the last question?      2 MR. HANSEL: Please also read back the answer      3 when you do that.      4 (The requested portion was read back.)      5 A. The process for drug approval varies between      6 brand and generics and I have an understanding of the      7 process for -- for both of those drugs to be approved.      8 BY MS. ISIDRO:      9 Q. Is it your position that having an understanding      10 of the process is all that it takes to be an expert on that      11 process?      12 MR. HANSEL: Objection. Calls for a legal      13 conclusion. Object to the form of the question.      14 A. I have been asked here today to render an opinion      15 on what TPPs rely on when TPPs rely on or -- or consult      16 when they're making -- with respect -- specifically to      17 generic drugs for formulary decisions, and specific to      18 generic drugs, that process involves an approval by the FDA      19 tied to an ANDA application whereby the manufacturer has to      20 meet the criteria for approval in order for that generic      21 drug to gain their approval. That's what I've been asked      22 to render an opinion on.      23 Was there something more you were looking for?      24 MS. ISIDRO: Can you read back the question and      25 the answer, please?</p>	<p style="text-align: right;">Page 69</p> <p>1 stenographically.      2 On behalf of the Plaintiffs, we object pursuant      3 to Federal Rule of Civil Procedure 30(d)(3), motion to      4 terminate or limit which states in part: A, at any      5 time during a deposition the deponent or a party may      6 move to terminate or limit it on the ground that it is      7 being conducted in bad faith or in a manner that      8 unreasonably annoys, embarrasses, or oppresses the      9 deponent or party.      10 On behalf of the Plaintiffs, Defendants have      11 questioned Dr. Panagos for over two hours or      12 approximately two hours on qualifications only. In      13 addition to that, Defense counsel has repeatedly      14 re-asked the same question on numerous occasions, in      15 particular a question about whether the witness is      16 qualified as an expert witness under federal procedure      17 in effect. That question is a legal conclusion, calls      18 for a legal conclusion. It's a question for the      19 Court.      20 The witness is not an attorney. The witness does      21 not know standards for acceptance of expert witnesses      22 by federal courts under Daubert and other law. It is      23 the parties, the Plaintiffs who have offered the      24 expert, and even if the Defendants are not happy with      25 the answer provided by the expert, that is not a</p>

18 (Pages 66 - 69)

<p style="text-align: right;">Page 70</p> <p>1 ground to badger the witness, to repeatedly ask the      2 question calling for a legal conclusion, and, in      3 effect, harassing Dr. Panagos.</p> <p>4 It's discourteous, it's not civil, and the      5 Plaintiffs will not permit it to continue. We would      6 like to request the Defendants for an offer of proof      7 at this time of how much longer they intend to ask the      8 witness about her qualifications and on which topics      9 of her qualifications they intend to examine the      10 witness.</p> <p>11 We will consider that, and if it is unacceptable      12 under Rule 30(d)(3), we will terminate the portion of      13 the examination on qualifications to the extent only      14 that we believe it is impermissible.</p> <p>15 Is there anything else you'd like to add, Conlee,      16 Charlie, Jorge?</p> <p>17 MS. WHITELEY: No.</p> <p>18 MR. HANSEL: Ruben? Anyone? Thank you.</p> <p>19 MR. KERNER: The only thing I'd like to say is I      20 would like an opportunity to confer with Defense      21 counsel.</p> <p>22 MR. HANSEL: Of course.</p> <p>23 MR. KERNER: So we're going to need a couple of      24 minutes.</p> <p>25 MR. HANSEL: Sure. We'll step out.</p>	<p style="text-align: right;">Page 72</p> <p>1 this litigation. A yes or no question about whether      2 she intended to offer specific opinions regarding the      3 FDA process for drug approval in this litigation.</p> <p>4 So, with that in mind, I would suggest that we      5 continue with the deposition at this time, and as long      6 as the witness answers the questions that have been      7 asked, bearing in mind that you have an opportunity to      8 Redirect after Defendants have asked their      9 questions -- and so as long as she answers the      10 questions that have been asked, I don't see any reason      11 why there should be any problem continuing with the      12 deposition at this time.</p> <p>13 MS. WHITELEY: May I ask a question rather      14 than -- do you have an amount of time that you have an      15 idea of how long that you think it will continue on      16 qualifications?</p> <p>17 MS. ISIDRO: It should not be much longer,      18 assuming the witness does answer the questions that      19 have been asked. But if the witness continues to be      20 evasive and, you know, we continue to have to ask the      21 question ten different ways so that the original      22 question can be answered by the witness, then it -- it      23 will need to go much -- it will need to go longer and      24 it's not on me to -- it's not within my power to be      25 able to determine that. It's -- it's much more within</p>
<p style="text-align: right;">Page 71</p> <p>1 MR. KERNER: Yeah. I'd appreciate that.      2 (Break taken.)</p> <p>3 MR. KERNER: And so we will respond to your      4 statements earlier.</p> <p>5 MS. ISIDRO: So, Counsel, I would like to state      6 for the record that I categorically disagree with any      7 suggestion that the questions that have been -- that      8 have been asked here today are harassing or designed      9 to embarrasses the witness in any way.</p> <p>10 Unfortunately, the witness has repeatedly      11 answered the question that she has wanted to answer      12 rather than the question that has been asked.</p> <p>13 In addition, there has been a pattern of speaking      14 objections from Plaintiff's counsel, culminating in      15 this inappropriate attempt to baselessly terminate or      16 limit this deposition and to interfere with      17 Defendant's rights to thoroughly explore the      18 qualifications, as well as the -- the qualifications      19 of the expert that Plaintiffs are offering, as well as      20 the content and the bases for her opinions that she      21 intends to offer in this litigation.</p> <p>22 I note that you threatened to suspend the      23 deposition of the witness after she was asked not a      24 question about her qualifications but a question about      25 whether she intended to offer specific opinions in</p>	<p style="text-align: right;">Page 73</p> <p>1 the witness's power to determine how she's going to be      2 answering questions.</p> <p>3 MR. KERNER: Anybody else on the Defense side      4 have anything that they want to add?</p> <p>5 MR. GISLESON: Yeah. This is John Gisleson from      6 Morgan Lewis on behalf of Aurobindo.</p> <p>7 We do not believe that the questioning has been      8 in any way inappropriate. The tone has been fair and      9 balanced, and in our view the witness has been      10 nonresponsive and evasive.</p> <p>11 MR. KERNER: Anyone else on the Defense side?</p> <p>12 The only thing I'll add is our intention is to      13 move forward efficiently, to continue to ask      14 appropriate questions, to continue to ask      15 professionally, as counsel's been doing all morning,      16 and to treat the witness with respect, as counsel has      17 done all morning, and move forward with the deposition      18 and get through it as quickly as we can.</p> <p>19 There's no intent to keep this witness here one      20 minute longer than necessary.</p> <p>21 MR. HANSEL: Anything else from the Defendants?</p> <p>22 MS. ISIDRO: Not at this time.</p> <p>23 MR. HANSEL: All right. On behalf of the      24 Plaintiffs, we disagree with your statements that the      25 witness has been nonresponsive or evasive and we stand</p>

<p style="text-align: right;">Page 74</p> <p>1 by our statements earlier, which I will not repeat.      2 Based on your representations, particularly to      3 Attorney Whiteley's questions, that you intend to      4 reach a conclusion to the questioning about      5 qualifications with reasonable efficiency, we will      6 allow the questioning of Dr. Panagos to continue now,      7 including to a limited extent on qualifications, and      8 I -- I guess if there's one thing I want to reiterate,      9 it's that she is not -- we're not holding her out as      10 an expert on Daubert and on what Federal Court      11 standards are for the acceptance of expert witnesses,      12 which is a legal question for the Court.      13 So, having said that, I will go get Dr. Panagos      14 to -- to get started. Thank you.      15 MS. ISIDRO: Thank you.      16 (Off the record.)      17 THE VIDEOGRAPHER: The time is 12:17 p.m., and we      18 are back on record.      19 BY MS. ISIDRO:      20 Q. Dr. Panagos, are you intending to offer any      21 opinions in this litigation on the process for obtaining      22 approvals from FDA for pharmaceutical products?      23 MR. HANSEL: Object to the form.      24 A. The process has already been established by the      25 FDA for approval of drugs.</p>	<p style="text-align: right;">Page 76</p> <p>1 MR. HANSEL: Object to the form.      2 A. As a pharmacist, I understand the process      3 involved for approval of generic drug products as it      4 entails how those decisions are tied into a formulary      5 placement.      6 BY MS. ISIDRO:      7 Q. And will you be offering expert opinions in this      8 litigation involving that process?      9 MR. HANSEL: Object to the form. Her report      10 speaks for itself.      11 A. My expert opinion is what TPPs rely on and      12 consider with respect to generic drugs for placement to the      13 drug formulary.      14 BY MS. ISIDRO:      15 Q. That is the only category of information on which      16 you intend to offer expert opinions in this litigation?      17 MR. HANSEL: Object to the form.      18 A. My expert opinion is on what TPPs rely on when      19 consideration -- for consideration of generic drugs as --      20 for consideration to be placed on the formulary and it --      21 reimburse as part of prescription drug program.      22 BY MS. ISIDRO:      23 Q. That is the only category on which you are -- you      24 will be opining in this litigation?      25 MR. HANSEL: I object to the form of the</p>
<p style="text-align: right;">Page 75</p> <p>1 Could you restate the question?      2 BY MS. ISIDRO:      3 Q. Are you intending to offer any opinions in this      4 litigation on the process of obtaining approvals from FDA      5 for generic pharmaceutical products?      6 MR. HANSEL: Object to the form.      7 A. I am rendering an opinion on what TPPs,      8 third-party payers, rely on with respect to generic drugs      9 for consideration to a drug formulary.      10 BY MS. ISIDRO:      11 Q. So you're not intending to offer any opinions on      12 the process for obtaining approvals from FDA for generic      13 pharmaceutical products?      14 MR. HANSEL: Object to the form: Asked and      15 answered, argumentative.      16 A. The process for approval of generic drug products      17 is already established by the FDA.      18 BY MS. ISIDRO:      19 Q. Would you defer to FDA on that process?      20 MR. HANSEL: Object to the form.      21 A. Would you please be more specific?      22 BY MS. ISIDRO:      23 Q. Would you defer to FDA with respect to matters      24 involving the process for obtaining approvals for      25 pharmaceutical products?</p>	<p style="text-align: right;">Page 77</p> <p>1 question.      2 BY MS. ISIDRO:      3 Q. You can answer.      4 A. As I understand your question, that is what my      5 opinion will be rendered upon.      6 Q. Have you ever had any formal training in      7 economics?      8 A. What do you mean by formal? Could you define      9 that?      10 Q. Have you ever done any coursework in economics?      11 A. As part of my college degrees, some of the      12 coursework entailed economics.      13 Q. Was that as part of one of your majors?      14 A. Yes.      15 Q. Which ones?      16 A. Biology and as well as pharmacy.      17 Q. Have you ever obtained any certifications in      18 economics?      19 A. No.      20 Q. Have you ever obtained any degrees in economics?      21 A. No.      22 Q. Have you ever had any formal training in business      23 principles?      24 A. Business coursework was also part of my college      25 education.</p>

20 (Pages 74 - 77)

<p style="text-align: right;">Page 78</p> <p>1 Q. In connection with which of your majors or      2 minors?</p> <p>3 A. Both biology, computer science, and pharmacy. So      4 all -- all -- both majors and the minor.</p> <p>5 Q. Outside of your college degrees, have you had any      6 other coursework in business?</p> <p>7 A. Only as it pertains to my continuing education      8 credits for upholding my pharmacy degree, so business      9 related to pharmacy continuing education.</p> <p>10 Q. Have you received any certificates in business?</p> <p>11 A. No.</p> <p>12 Q. Have you received any degrees in business?</p> <p>13 A. No.</p> <p>14 Q. You are not a medical doctor, correct?</p> <p>15 A. No.</p> <p>16 Q. You're not a pharmacologist?</p> <p>17 A. No.</p> <p>18 Q. And you're not a toxicologist?</p> <p>19 A. No.</p> <p>20 Q. Aside from this litigation, have you ever been      21 retained as an expert witness or an expert consultant in      22 connection with litigation?</p> <p>23 A. No.</p> <p>24 Q. And you testified you've never been      25 deposed before. Have you ever testified at trial</p>	<p style="text-align: right;">Page 80</p> <p>1 BY MS. ISIDRO:</p> <p>2 Q. If you'd like to refer back to them at any point,      3 you're welcome to. I'm happy to take them back if it's too      4 cluttered.</p> <p>5 A. It's okay.</p> <p>6 MR. HANSEL: Why don't you leave them nearby.</p> <p>7 THE WITNESS: I'm fine.</p> <p>8 MS. ISIDRO: Okay.</p> <p>9 THE WITNESS: I'm good. Thank you.</p> <p>10 BY MS. ISIDRO:</p> <p>11 Q. Okay. And you're I believe still on Page 6,      12 correct?</p> <p>13 A. Correct. Uh-huh.</p> <p>14 Q. Okay. Item Number 2 asks for articles,      15 abstracts, studies, reports, et cetera, and am I      16 understanding your testimony correct, you don't have any      17 items responsive to Number 2?</p> <p>18 MR. HANSEL: Excuse me. I'm going to object. I      19 object to the form of the question because we've      20 provided a written response as well.</p> <p>21 A. Everything is included in my expert report, in my      22 CV. All the materials necessary for this expert opinion      23 that I'm providing are within the report and my CV.</p> <p>24 BY MS. ISIDRO:</p> <p>25 Q. Okay. But, Doctor, you've never authored any</p>
<p style="text-align: right;">Page 79</p> <p>1 before?</p> <p>2 A. No.</p> <p>3 Q. Have you ever done consulting work for any      4 pharmaceutical company?</p> <p>5 A. No.</p> <p>6 Q. Have you ever done consulting work for any      7 medical device company?</p> <p>8 A. No.</p> <p>9 Q. What percent of your income is currently derived      10 from expert testimony or expert consulting in connection      11 with litigation?</p> <p>12 A. I have not calculated the percentage, but it's      13 only with regards to the case I'm providing an expert      14 report for here.</p> <p>15 Q. Okay. Doctor, if we could turn back to Exhibit      16 1, which was your notice of deposition.</p> <p>17 A. Uh-huh.</p> <p>18 Q. You can pass Exhibit 2 back to me, just so you      19 don't have too many papers in front of you.</p> <p>20 MR. HANSEL: She may want to refer to the other      21 exhibits.</p> <p>22 MS. ISIDRO: Oh, certainly. If -- if you would      23 like --</p> <p>24 MR. HANSEL: If she could keep them there, I      25 would appreciate it.</p>	<p style="text-align: right;">Page 81</p> <p>1 articles, correct?</p> <p>2 A. Correct.</p> <p>3 MR. HANSEL: Object to the form.</p> <p>4 BY MS. ISIDRO:</p> <p>5 Q. And you've never authored or co-authored any      6 abstracts, correct?</p> <p>7 A. Correct.</p> <p>8 Q. And you've never authored or co-authored any      9 published studies, correct?</p> <p>10 A. Correct.</p> <p>11 Q. You've never authored or co-authored any      12 published reports, correct?</p> <p>13 A. Correct.</p> <p>14 Q. You've never authored or co-authored any      15 publications, correct?</p> <p>16 A. Right.</p> <p>17 Q. Okay. You've never authored or co-authored any      18 book chapters?</p> <p>19 A. No.</p> <p>20 Q. Or any books in their entirety, correct?</p> <p>21 A. That is correct.</p> <p>22 Q. Do you have in your possession, Doctor, any      23 presentations -- withdrawn. Let me ask a different      24 question.</p> <p>25 Have you ever given any presentations or speeches</p>

<p style="text-align: right;">Page 82</p> <p>1 regarding drug safety and cancer risk?</p> <p>2 A. That's a broad question but I have spoken about</p> <p>3 drug safety and the potential for side effects or adverse</p> <p>4 effects as related to that drug. Those can include cancer.</p> <p>5 Q. And in what context have -- have those speaking</p> <p>6 engagements been?</p> <p>7 A. In every context as my professional -- in my</p> <p>8 professional career as a pharmacist. So in my current</p> <p>9 role, in my academic role, and in my previous roles in</p> <p>10 my -- with my previous employment.</p> <p>11 Q. So has -- have those been specifically with and</p> <p>12 for your clients?</p> <p>13 MR. HANSEL: Object to the form.</p> <p>14 A. Primarily for my clients. But also for, if I was</p> <p>15 involved in a speaking engagement with my organization, it</p> <p>16 could have been to an audience that was not my client.</p> <p>17 BY MS. ISIDRO:</p> <p>18 Q. On how many occasions would you have spoken to an</p> <p>19 audience that went beyond your clients?</p> <p>20 A. A few times a year. A few times a year, once a</p> <p>21 quarter maybe.</p> <p>22 Q. During what time frame?</p> <p>23 A. Again, it's been throughout my career. So I've</p> <p>24 been doing this work here now for 20 plus years and so it's</p> <p>25 been throughout my career, sometimes more, sometimes less.</p>	<p style="text-align: right;">Page 84</p> <p>1 A. Right. That was not the focus of the</p> <p>2 presentation.</p> <p>3 Q. I understand you're saying it's not the focus and</p> <p>4 I just want to make sure that I'm understanding your</p> <p>5 answer.</p> <p>6 A. Uh-huh.</p> <p>7 Q. It was not the focus and you don't specifically</p> <p>8 recall discussing it, although it's possible you may have</p> <p>9 discussed it?</p> <p>10 MR. HANSEL: Objection. I object to the form.</p> <p>11 Asked and answered, repeatedly.</p> <p>12 BY MS. ISIDRO:</p> <p>13 Q. Is that --</p> <p>14 A. My --</p> <p>15 Q. -- is my understanding correct?</p> <p>16 A. My professional responsibility as a pharmacist</p> <p>17 when speaking about medications includes discussion of any</p> <p>18 potential concerns with the drug, including cancer, if it's</p> <p>19 relevant to the discussion. So I believe I'm answering</p> <p>20 your question.</p> <p>21 Q. Okay. So I'll take that to mean that my</p> <p>22 understanding is correct and you may have discussed it but</p> <p>23 you don't specifically recall discussing it.</p> <p>24 MR. HANSEL: Objection and move to strike.</p> <p>25 Object to the form.</p>
<p style="text-align: right;">Page 83</p> <p>1 Q. What was most recent one?</p> <p>2 A. The most recent engagement was to the Chicago</p> <p>3 Healthcare Underwriters speaking about pharmacy benefit</p> <p>4 programs.</p> <p>5 Q. When was that?</p> <p>6 A. That was, goodness, before COVID. So I'm trying</p> <p>7 to think of the date. I can't recall the exact date, but</p> <p>8 it was before the -- the COVID lockdown.</p> <p>9 Q. Okay. And were you discussing cancer risk in</p> <p>10 connection with pharmaceutical products during that</p> <p>11 presentation?</p> <p>12 A. We were discussing pharmacy benefit information,</p> <p>13 drug safety, drug formulary plan designs.</p> <p>14 Q. So you don't specifically recall discussing</p> <p>15 cancer risk?</p> <p>16 A. It was not the focus of the presentation.</p> <p>17 Q. To the best of your recollection, was it</p> <p>18 discussed during the presentation?</p> <p>19 A. Again, it was not the focus, but whenever you</p> <p>20 talk about a drug, you bring in I guess a clinical</p> <p>21 pharmacist for the side effects or adverse effects or any</p> <p>22 concerns.</p> <p>23 Q. So it's possible that you may have discussed it,</p> <p>24 but you don't specifically recall discussing it; is that</p> <p>25 correct?</p>	<p style="text-align: right;">Page 85</p> <p>1 BY MS. ISIDRO:</p> <p>2 Q. And please feel free to correct me if I'm wrong</p> <p>3 in my interpretation.</p> <p>4 MR. HANSEL: Again, object to the form.</p> <p>5 BY MS. ISIDRO:</p> <p>6 Q. Am I correct that your -- that all of the</p> <p>7 materials that you have relied on in forming your opinions</p> <p>8 in this case have been listed in the attachments to -- to</p> <p>9 your report?</p> <p>10 A. All the materials have been listed, yes, in the</p> <p>11 attachment.</p> <p>12 Q. Okay. And let's go ahead and mark a copy of your</p> <p>13 report and its exhibits as Exhibit Number 3.</p> <p>14 MS. ISIDRO: She just needs to mark it first.</p> <p>15 Sorry.</p> <p>16 MR. HANSEL: Can I have a copy?</p> <p>17 MS. ISIDRO: Oh, I have it here. Sorry about</p> <p>18 that.</p> <p>19 MR. KERNER: Yeah.</p> <p>20 MR. HANSEL: I'm sorry.</p> <p>21 (Exhibit No. 3 was marked for identification.)</p> <p>22 BY MS. ISIDRO:</p> <p>23 Q. And, Doctor, if you could turn to exhibit --</p> <p>24 excuse me, Appendix A --</p> <p>25 A. Uh-huh.</p>

<p style="text-align: right;">Page 86</p> <p>1       Q. -- attached to your report. If you could just      2 take a moment to review that and confirm for me that that      3 is a complete list of the materials that you have relied on      4 in forming your opinions in connection with this      5 litigation.</p> <p>6       A. This is a list of my materials that I've      7 reviewed. My expert opinion is based on my experience, my      8 education, my day-to-day upkeep of my profession to stay up      9 to date with what's happening, and -- and the materials      10 that I've reviewed are included here.</p> <p>11      Q. Okay. And as far as the materials that you've      12 reviewed, Appendix B -- excuse me --</p> <p>13      A. A.</p> <p>14      Q. -- Appendix A to your report is a complete list      15 of the materials you've reviewed in connection with this --      16 with your opinions in this litigation?</p> <p>17       MR. HANSEL: Object to the form.</p> <p>18      A. My day-to-day responsibilities include reviewing      19 many pharmacy and industry articles, data, and information,      20 but with regards to this expert opinion the materials that      21 I reviewed are listed in Appendix A.</p> <p>22 BY MS. ISIDRO:</p> <p>23      Q. You haven't reviewed any medical records in      24 connection with this litigation, correct?</p> <p>25       MR. HANSEL: Object to the form.</p>	<p style="text-align: right;">Page 88</p> <p>1       A. I mean, consumed is -- you've used the word      2 consumed. I'm not --</p> <p>3       Q. Doctor, have you been tracking your charges in      4 connection with this litigation?</p> <p>5       A. Yes. I keep a record of my -- the time I spend      6 on this case. Absolutely.</p> <p>7       Q. How do you track the time that you spend on this      8 case?</p> <p>9       A. I keep a record of the time I spent in my own      10 personal file.</p> <p>11      Q. Are they written notes? Do you use a program or      12 an app to track your time? How exactly do you keep those      13 records?</p> <p>14      A. It's a combination of written and tracked through      15 an Excel.</p> <p>16      Q. An Excel spreadsheet that -- that you populate?</p> <p>17      A. That's correct.</p> <p>18      Q. Okay. What is your hourly -- what is the hourly      19 rate at which you are being compensated in connection with      20 this litigation?</p> <p>21      A. The hourly rate for non-testifying work is \$375      22 an hour and for testifying work it's \$400 an hour.</p> <p>23      Q. What is your arrangement with respect to the      24 retainer? And I'll explain what I mean. Is it -- is it      25 something that's just there to guarantee payment or is it</p>
<p style="text-align: right;">Page 87</p> <p>1       A. Would you please be more specific than medical      2 records?</p> <p>3 BY MS. ISIDRO:</p> <p>4       Q. Have you -- I'll rephrase the question.      5       Have you reviewed any medical records pertaining      6 to the Plaintiffs in this litigation?</p> <p>7       A. No.</p> <p>8       Q. Have you spoken to any of the Plaintiffs in this      9 litigation?</p> <p>10      A. No.</p> <p>11      Q. Have you spoken to any of the other experts that      12 Plaintiffs have disclosed in this litigation?</p> <p>13      A. No.</p> <p>14      Q. Have you issued any invoices in connection with      15 your work in this litigation?</p> <p>16      A. I will -- I have not issued any invoices, but I      17 did receive a retainer at the onset.</p> <p>18      Q. And what was the amount of the retainer that you      19 received at -- at the outset?</p> <p>20      A. \$4,500.</p> <p>21      Q. Has that retainer been -- let me rephrase that.      22       Have -- have there been amounts consumed from      23 that retainer?</p> <p>24      A. Are you asking if I've used the monies?</p> <p>25      Q. No, Doctor.</p>	<p style="text-align: right;">Page 89</p> <p>1       something on which you collect your fees as they are      2 incurred up to the extent of the retainer or a different      3 arrangement with respect to the retainer?</p> <p>4       A. The retainer was for my expert report.</p> <p>5       Q. Okay. And have you calculated the total amount      6 of fees that you have incurred based on your time spent      7 and -- and your hourly rate, up until today?</p> <p>8       A. I have kept a report of the time I've spent for      9 this expert report and case and I have that -- I have that      10 recordkeeping, if you will.</p> <p>11      Q. What is the total number of non-testifying hours      12 that you have spent to date on this litigation?</p> <p>13      A. Approximately 50 to 60 hours.</p> <p>14      Q. I'm sorry? I didn't hear you.</p> <p>15      A. Fifty to -- about approximately fifty hours.</p> <p>16      Q. Approximately 50 hours. So at your      17 non-testifying rate of \$375 an hour, that would be      18 approximately \$18,750 in fees in connection with your      19 non-testifying work so far; is that right?</p> <p>20      A. You calculated it so.</p> <p>21      Q. So that exceeds the amount of -- of the retainer,      22 correct?</p> <p>23      A. Yes.</p> <p>24      Q. Will that retainer remain in place and you will      25 invoice Plaintiffs for the full amount of -- of the fees</p>

<p style="text-align: right;">Page 90</p> <p>1 that you have incurred so far, or will you reduce the      2 amount that you invoice by the amount of the retainer?      3 A. I will reduce it by the amount of the retainer.      4 Q. Okay. When were you first retained in connection      5 with this litigation?      6 A. The exact date I'm -- I have to look at the exact      7 date, but it was in October I want to say or maybe late      8 September of '21.      9 Q. Who first contacted you in connection with this      10 litigation?      11 A. Greg Hansel.      12 Q. Did you know Greg Hansel before he contacted you      13 in connection with this litigation?      14 A. No.      15 Q. Do you know how you came to be contacted in      16 connection with this litigation?      17 A. I was told it was through my LinkedIn profile.      18 Q. When you do issue an invoice in connection with      19 your work in this litigation, who will you be sending that      20 invoice to?      21 A. Preti Flaherty.      22 Q. I'm going to go ahead and mark this document as      23 Exhibit 4.      24 (Exhibit No. 4 was marked for identification.)      25 Do you recognize this document, Doctor?</p>	<p style="text-align: right;">Page 92</p> <p>1 claims at issue in the litigation?      2 A. No.      3 Q. Has anyone assisted you in doing research or      4 gathering information in connection with the opinions that      5 you're offering in this litigation?      6 A. No.      7 Q. What were you asked to do when you were retained      8 in connection with this litigation?      9 A. I would ask -- I was asked to render an opinion      10 on what TPPs rely on when -- with respect to generic      11 medications.      12 Q. Other than Plaintiff's counsel, have you spoken      13 to anyone about this litigation?      14 A. No.      15 MS. ISIDRO: Counsel, I'm about to start getting      16 into Dr. Panagos's report. Should we break for lunch      17 at this time and -- and then come back or should we      18 get started and break at a later time?      19 MR. HANSEL: Let's break.      20 MS. ISIDRO: Okay.      21 MR. KERNER: How long? What do you think?      22 THE VIDEOGRAPHER: The time is 12:53 p.m., and we      23 are off record.      24 (Break taken.)      25 THE VIDEOGRAPHER: The time is 1:56 p.m., and we</p>
<p style="text-align: right;">Page 91</p> <p>1 A. Yes.      2 Q. And what is it?      3 A. It is the engagement letter.      4 Q. Your engagement letter in connection with this      5 litigation?      6 A. Yes.      7 Q. All right. What materials did you initially      8 review in connection with this litigation?      9 A. All of the materials I reviewed are in the      10 appendix.      11 Q. Let me ask my question a different way.      12 Did you review any materials prior to making a      13 determination as to whether or not you would agree to your      14 engagement in connection with this litigation?      15 A. So, again, my day-to-day functions in my      16 professional role include reviewing pharmacy literature and      17 materials, industry relevant information so that I am aware      18 of -- so I can best advise my clients in -- in my      19 professional capacity so.      20 Q. In making a decision as to whether or not you      21 would agree to be engaged in connection with this      22 litigation, did you review any materials relating to the      23 litigation itself?      24 A. No.      25 Q. Did you review any materials relating to the</p>	<p style="text-align: right;">Page 93</p> <p>1 are back on the record.      2 BY MS. ISIDRO:      3 Q. Good afternoon, Dr. Panagos. Do you still have      4 in front of you Exhibit Number 3, your report with its      5 Appendixes?      6 A. I do.      7 Q. All right. We're going to spend some time going      8 through your opinions as -- as stated in your report. So      9 I'm going to have you turn to Page 2, and specifically the      10 fourth section of your report in Paragraph 12, you don't      11 have any opinions that are stated in the earlier parts of      12 your report prior to this paragraph; is that correct?      13 A. Correct.      14 Q. In Paragraph 12 you state that in July 2018 the      15 FDA announced a voluntary recall of Valsartan, including      16 Valsartan-containing drugs, due to contaminants NDEA and      17 NDMA. What is your basis for that statement?      18 A. That information is found on the FDA website.      19 Q. What do you understand the term contaminants to      20 mean?      21 A. These contaminants were found in unacceptable      22 levels and probable human carcinogens and do not belong in      23 the medication.      24 Q. I want to make sure I understood your answer.      25 MS. ISIDRO: Can you read back the question and</p>

24 (Pages 90 - 93)

<p>1       the answer for me, please?</p> <p>2           (The requested portion was read back.)</p> <p>3 BY MS. ISIDRO:</p> <p>4       Q. Am I understanding you correctly that you</p> <p>5 understand the term contaminants to mean any substance that</p> <p>6 does not belong in the medication?</p> <p>7       MR. HANSEL: Object to the form.</p> <p>8       A. In the scope of this case, a -- the contaminant</p> <p>9 is a substance that was -- should not have been in the</p> <p>10 medication and not consistent with the referenced labeled</p> <p>11 product.</p> <p>12 BY MS. ISIDRO:</p> <p>13       Q. So that is how you are using the word</p> <p>14 contaminants in this report?</p> <p>15       MR. HANSEL: Object to the form. Asked and</p> <p>16 answered.</p> <p>17       A. I've answered the question.</p> <p>18 BY MS. ISIDRO:</p> <p>19       Q. I just want to make sure I'm understanding your</p> <p>20 answer.</p> <p>21       MR. HANSEL: Object to form.</p> <p>22 BY MS. ISIDRO:</p> <p>23       Q. Have I stated that correctly?</p> <p>24       MR. HANSEL: Object to form.</p> <p>25       A. Please restate so I can be sure I -- I understand</p>	<p>Page 94</p> <p>1       definition of the term contaminants?</p> <p>2       A. Specifically, no.</p> <p>3       Q. In the next sentence you say these contaminants</p> <p>4 are probable human carcinogens according to the</p> <p>5 International Agency for Research on Cancer classification.</p> <p>6 Are -- so are you relying on IARC's classification in that</p> <p>7 statement?</p> <p>8       A. Yes.</p> <p>9       Q. Have you independently assessed the</p> <p>10 carcinogenicity of NDEA or NDMA?</p> <p>11       A. Not independently.</p> <p>12       Q. Are you relying on anything other than the IARC</p> <p>13 classification in making that statement in your report?</p> <p>14       MR. HANSEL: Object to the form.</p> <p>15       A. The IARC classification is public information</p> <p>16 which is what I relied on to make that statement.</p> <p>17 BY MS. ISIDRO:</p> <p>18       Q. Okay. And you didn't rely on anything else for</p> <p>19 purposes of that statement?</p> <p>20       MR. HANSEL: Object to the form.</p> <p>21       A. Yes.</p> <p>22 BY MS. ISIDRO:</p> <p>23       Q. Yes. I'm sorry, yes, that's correct?</p> <p>24       A. Yes.</p> <p>25       MR. HANSEL: Object to the form.</p>
<p>1       the way you restated it.</p> <p>2       MS. ISIDRO: Can you read it back, please?</p> <p>3           (The requested portion was read back.)</p> <p>4 BY MS. ISIDRO:</p> <p>5       Q. I just want to understand, Doctor, whether --</p> <p>6 what you've discussed in that prior response is a</p> <p>7 description of how you personally are using the term</p> <p>8 contaminants in your report.</p> <p>9       A. Uh-huh. So a contaminant is any substance that</p> <p>10 is in the medication that should not have been there, not</p> <p>11 consistent with the referenced label product, and</p> <p>12 inconsistent with the safety and efficacy of the referenced</p> <p>13 labeled product.</p> <p>14       Q. Thank you. What are you relying on for purposes</p> <p>15 of your definition of contaminants?</p> <p>16       A. My industry knowledge, my pharmacy background, my</p> <p>17 education, studies, and professional scope in my career.</p> <p>18       Q. Anything else?</p> <p>19       A. No.</p> <p>20       Q. You're not relying on any specific FDA</p> <p>21 regulations for the purpose of that definition?</p> <p>22       A. The scope of my career relies -- you know,</p> <p>23 involves referring to FDA information so.</p> <p>24       Q. Are there specific FDA regulations that you are</p> <p>25 referring to in terms of your understanding of the</p>	<p>Page 95</p> <p>1       BY MS. ISIDRO:</p> <p>2       Q. Okay. Apart from any alleged presence of NDEA or</p> <p>3 NDMA in Valsartan-containing drugs, are you offering any</p> <p>4 criticism of Valsartan-containing drugs?</p> <p>5       A. Valsartan -- as long as they're being used for</p> <p>6 their intended FDA labeled use, no.</p> <p>7       Q. The next section, Section 5, talks about</p> <p>8 background on TPP pharmacy benefits and Paragraphs 14</p> <p>9 through 18 specifically talk about TPPs; is that correct?</p> <p>10       A. Yes.</p> <p>11       Q. What are you relying on in making the statements</p> <p>12 that you make in Paragraphs 14 through 18 with respect to</p> <p>13 TPPs?</p> <p>14       A. I'm relying on the information I've listed in</p> <p>15 Appendix A.</p> <p>16       Q. Can we -- can you please look at that appendix</p> <p>17 and identify for me which of the items listed on Appendix A</p> <p>18 you're relying on for purposes of paragraphs 14 through 18</p> <p>19 of your report?</p> <p>20       A. Yeah. So I have listed in the appendix</p> <p>21 experts -- excerpts, excuse me, of data, MSP data --</p> <p>22       Q. That's the one that says Detail Claim Report, HMO</p> <p>23 fields added, July 6, 2021?</p> <p>24       A. Yes. And the other items would be the</p> <p>25 coordination of benefits, third-party liability.</p>

25 (Pages 94 - 97)

Page 98	Page 100
<p>1       Q. Okay. That's further up on the list on Page 1 of      2 Appendix A?</p> <p>3       A. Yes.</p> <p>4       Q. Okay. Anything else?</p> <p>5       A. And then further down where it says MADA claims      6 for the recalled Valsartan.</p> <p>7       Q. Okay. That's the last item on -- on that page,      8 MADA claims data for recalled Valsartan --</p> <p>9       A. Yes.</p> <p>10      Q. -- four spreadsheets?</p> <p>11      A. Yes. And then on the next page there are      12 additional items referenced, fourth and fifth down. The      13 recall status of NDCs.</p> <p>14      Q. So you mentioned fourth and fifth down. Is that      15 MADA Third Party Payor Plaintiff's Fact Sheet, and MSP      16 Third Party Payor Plaintiff's Fact Sheet?</p> <p>17      A. Yeah.</p> <p>18      Q. And then two down from that, was it the recall      19 status of NDCs listed? Is that the one you referred to?</p> <p>20      A. Uh-huh.</p> <p>21      Q. Okay.</p> <p>22      A. Yes.</p> <p>23      Q. Anything else?</p> <p>24      A. My own experience from being an expert in this      25 field and consulting and knowing how these entities work.</p>	<p>1       A. The American Journal of Managed Care, ASHP,      2 Coordination of Benefits, Formulary Development, The      3 Journal of Managed Care, Drug -- Navigating Drug      4 Formularies and Pharmacy Benefit Management, the Orange      5 Book, Principles of a Sound Drug Formulary, and the U.S.      6 Food and Drug Administration Development Approval Process.</p> <p>7       Q. The next section of your report, Paragraphs 21      8 through 28, discusses prescription drug formularies; is      9 that right?</p> <p>10      A. Yes.</p> <p>11      Q. What did you rely on in formulating the      12 statements in paragraphs 21 through 28 of your report?</p> <p>13      A. The same ones I gave you for PBM.</p> <p>14      Q. Okay.</p> <p>15      A. Including my knowledge, experience, and education      16 in my professional capacity.</p> <p>17      Q. Okay. And nothing additional with respect to      18 Paragraphs 21 and 28, is that correct, as compared with      19 Paragraphs 19 and 20?</p> <p>20      A. Just whatever falls under the scope of my      21 professional capacity and my day-to-day functions.</p> <p>22      Q. And would you consider Paragraphs 14 through 28      23 to be background for your opinions in this litigation?</p> <p>24      MR. HANSEL: Object to the form. Calls for a      25 legal conclusion.</p>
Page 99	Page 101
<p>1       Q. Have we now discussed all of the bases for your      2 statements in Paragraphs 14 through 18 --</p> <p>3       MR. HANSEL: Object to the form.</p> <p>4      BY MS. ISIDRO:</p> <p>5       Q. -- of your report?</p> <p>6       A. All of my materials reviewed are in the appendix,      7 so for my -- for the entirety of my expert report. So I've      8 answered your question, you know, to the best of my      9 knowledge at this point, but I have -- I'd have to go back      10 and study each of the items in the appendix very closely to      11 ensure that I haven't missed a point in those sections, but      12 for purposes of our discussion, I have pointed out those      13 that I believe are relevant.</p> <p>14      Q. All right. The next section of your report,      15 Paragraphs 19 and 20, deals with PBMs; is that correct?</p> <p>16      A. Right.</p> <p>17      Q. And what did you rely on in formulating the      18 statements that you've included on Paragraphs 19 and 20 of      19 your report?</p> <p>20      A. My professional experience, my pharmacy knowledge      21 and education, and the materials in Appendix A.</p> <p>22      Q. And with respect to the materials in Appendix A,      23 which of the materials listed in Appendix A formed the      24 basis for your statements in Paragraphs 19 and 20 of your      25 report?</p>	<p>1       A. Please repeat the question?</p> <p>2       MS. ISIDRO: Could you read it back, please?      3       (The requested portion was read back.)</p> <p>4       MR. HANSEL: Same objection.</p> <p>5       A. They can serve as a background or they're      6 information pertinent to the -- the opinion, relevant and      7 pertinent.</p> <p>8      BY MS. ISIDRO:</p> <p>9       Q. In Paragraphs 29 to 32 you make various      10 statements concerning the Orange Book, correct?</p> <p>11      A. 29 through -- well, it goes beyond 32.</p> <p>12      BY MS. ISIDRO:</p> <p>13      Q. Okay.</p> <p>14      A. But yes.</p> <p>15      Q. Okay. You have a Section D in your report titled      16 Orange Book and that goes 29 through 32; is that correct?</p> <p>17      A. In Section D, yes.</p> <p>18      Q. Okay. What is the Orange Book?</p> <p>19      A. The Orange Book, also known as the Approved Drug      20 Products with Therapeutic Equivalence Evaluation, is a list      21 of FDA approved drug products and they're -- approved for      22 marketing as -- in the United States as they're labeled --      23 as their label indication.</p> <p>24      Q. Doctor, as part of what PBMs do, do PBMs develop      25 formularies?</p>

<p style="text-align: right;">Page 102</p> <p>1 A. Yes.</p> <p>2 Q. In doing so, do TP -- excuse me. Withdrawn.</p> <p>3 Do TPPs review and either adopt a formulary as is</p> <p>4 or do they customize the PBM formulary?</p> <p>5 MR. HANSEL: Object to the form.</p> <p>6 A. Could you be more specific?</p> <p>7 BY MS. ISIDRO:</p> <p>8 Q. What specificity are you looking for?</p> <p>9 A. When you say customize.</p> <p>10 Q. Do TPPs make any changes to the formularies that</p> <p>11 PBMs develop?</p> <p>12 A. TPPs, they're prescription -- the prescription</p> <p>13 benefit design is up to the client and they're -- what's</p> <p>14 included or excluded in that benefit design can be tied</p> <p>15 into the formulary.</p> <p>16 Q. Is it possible for a TPP to use its own P&amp;T</p> <p>17 committee?</p> <p>18 A. If they have a P&amp;T committee.</p> <p>19 Q. In fact, you note in your Footnote 2 of your</p> <p>20 report that in some cases the development and management of</p> <p>21 a drug formulary is done in-house where the TPP will use</p> <p>22 its own P&amp;T committee and might consult with the PPM,</p> <p>23 correct?</p> <p>24 A. If they have their own P&amp;T committee.</p> <p>25 Q. And you do state that in Footnote 2 of your</p>	<p style="text-align: right;">Page 104</p> <p>1 A. Drug monographs, product labels, submitted</p> <p>2 applications for approval, status within the Orange</p> <p>3 Brook -- Book.</p> <p>4 Q. Is cost a factor?</p> <p>5 A. P&amp;T committees make their decisions based on</p> <p>6 clinical merit.</p> <p>7 Q. So in your -- the diagram that you include in</p> <p>8 Paragraph 28 in the fourth tier down --</p> <p>9 A. Uh-huh.</p> <p>10 Q. -- it's titled P&amp;T -- P&amp;T review meetings. Do</p> <p>11 you see that?</p> <p>12 A. Yes.</p> <p>13 Q. It lists safety, efficacy, and cost. What does</p> <p>14 that refer to, that reference to cost there?</p> <p>15 A. P&amp;T committees make their decisions primarily</p> <p>16 based on clinical efficacy, ensuring that the drug that is</p> <p>17 going to be considered for placement on the formulary is</p> <p>18 safe and effective. Additional functions may include cost</p> <p>19 as it pertains to reimbursement of the claim.</p> <p>20 Q. So that is one of the factors that can be</p> <p>21 considered via a P&amp;T committee, correct?</p> <p>22 A. The primary factors are based on clinical merit</p> <p>23 and not cost.</p> <p>24 Q. So you would not consider cost a primary factor,</p> <p>25 correct?</p>
<p style="text-align: right;">Page 103</p> <p>1 report, correct?</p> <p>2 A. I have agreed.</p> <p>3 Q. Do you have any knowledge as to what share of the</p> <p>4 proposed TPP class members developed their own formularies</p> <p>5 versus using a formulary developed by a PBM?</p> <p>6 A. No, I do not.</p> <p>7 Q. Short of making an inquiry into each -- each TPP</p> <p>8 class members whose formulary included the at issue</p> <p>9 Valsartan, is there any way to tell whether it was the PBM</p> <p>10 or the TPP to decided whether Valsartan should be included?</p> <p>11 A. No, I will not speculate.</p> <p>12 Q. In Paragraph 25 of your report -- it's the bottom</p> <p>13 of Page 4 and top of Page 5.</p> <p>14 A. Uh-huh.</p> <p>15 Q. You mention that the P&amp;T committee is required to</p> <p>16 base formulary decisions on scientific evidence, standards</p> <p>17 of practice, peer reviewed medical literature, accepted</p> <p>18 clinical practice guidelines, and other appropriate</p> <p>19 information.</p> <p>20 What is other appropriate information?</p> <p>21 A. Data specific to the drug they are reviewing. It</p> <p>22 could include clinical studies.</p> <p>23 Q. Anything else?</p> <p>24 A. Yes. It could include other items.</p> <p>25 Q. Such as?</p>	<p style="text-align: right;">Page 105</p> <p>1 A. P&amp;T committees are unbiased advisory boards</p> <p>2 reviewing drug information based on the clinical merit of</p> <p>3 the -- that's their primary function. Once that is</p> <p>4 completed, they can include costs or may -- may or may not</p> <p>5 include that as part of their discussion.</p> <p>6 Q. Okay. And you did include it as part of the</p> <p>7 diagram in Paragraph 28?</p> <p>8 A. Uh-huh.</p> <p>9 Q. Correct?</p> <p>10 A. Yes.</p> <p>11 Q. At the bottom of that diagram, the very last tier</p> <p>12 of that diagram, you refer to relevant stakeholders. Who</p> <p>13 are those relevant stakeholders?</p> <p>14 A. Whoever the entity is deciding on the formulary,</p> <p>15 whether to adopt that formulary as part of their</p> <p>16 prescription benefit.</p> <p>17 Q. The Orange Book is published by the FDA, correct?</p> <p>18 A. Correct.</p> <p>19 Q. And the Orange Book lists drug products that are</p> <p>20 approved by FDA on the basis of safety and effectiveness;</p> <p>21 is that correct?</p> <p>22 A. Correct.</p> <p>23 Q. The Orange Book also contains therapeutic</p> <p>24 equivalence evaluations for approved generic prescription</p> <p>25 drug products; is that correct?</p>

27 (Pages 102 - 105)

<p style="text-align: right;">Page 106</p> <p>1 A. Yes.</p> <p>2 Q. Who makes those therapeutic equivalence</p> <p>3 evaluations?</p> <p>4 A. The FDA.</p> <p>5 Q. When a generic drug manufacturer files an ANDA,</p> <p>6 one of the things that they must demonstrate to FDA in that</p> <p>7 ANDA is bioequivalence, correct?</p> <p>8 A. That was not within the scope of my report, but I</p> <p>9 understand that to be part of the requirement.</p> <p>10 Q. Okay. So that consideration is -- is outside the</p> <p>11 scope of your report and your opinions in this litigation,</p> <p>12 correct?</p> <p>13 MR. HANSEL: Object to the form.</p> <p>14 A. As I said, it is part of the process for filing</p> <p>15 an ANDA or applying for ANDA.</p> <p>16 MS. ISIDRO: Can you please read back the answer</p> <p>17 that mentioned outside of the scope of the report?</p> <p>18 MR. HANSEL: And the question also.</p> <p>19 MS. ISIDRO: Sure. Please.</p> <p>20 (The requested portion was read back.)</p> <p>21 BY MS. ISIDRO:</p> <p>22 Q. For Section D of your report, Paragraphs 29</p> <p>23 through 32, what did you rely on in formulating those</p> <p>24 paragraphs of your report?</p> <p>25 A. FDA information.</p>	<p style="text-align: right;">Page 108</p> <p>1 Q. Okay. But not any of the other items listed on</p> <p>2 Appendix A, other --</p> <p>3 A. It could have been --</p> <p>4 Q. -- than the two that we've discussed?</p> <p>5 A. It could have been -- all of the items in the</p> <p>6 appendix can have played a role in forming the entirety of</p> <p>7 my discussion and expert opinion. That's why they're</p> <p>8 listed there.</p> <p>9 Q. Okay. Did the MADA Third Party Payor Plaintiff's</p> <p>10 Fact Sheet form the basis for any of your -- any of the</p> <p>11 information stated in Paragraphs 29 through 32 of your</p> <p>12 report?</p> <p>13 A. Not as it pertains to the explanation of the</p> <p>14 Orange Book, the description of the Orange Book.</p> <p>15 Q. Is there another aspect to Paragraphs 29 through</p> <p>16 32 that it does touch upon?</p> <p>17 A. By it, you mean -- can you be more clear?</p> <p>18 Q. The MADA Third Party Payor Plaintiff's Fact</p> <p>19 Sheet.</p> <p>20 MR. HANSEL: Object to the form.</p> <p>21 A. Could you please repeat the question?</p> <p>22 MS. ISIDRO: Sorry, could you read the question?</p> <p>23 I think you were asking for the court reporter to read</p> <p>24 the question back.</p> <p>25 (The requested portion was read back.)</p>
<p style="text-align: right;">Page 107</p> <p>1 Q. Which specific FDA information?</p> <p>2 A. On ANDA process, on NDA generic drugs.</p> <p>3 Q. Would the FDA information that you relied on be</p> <p>4 listed in Appendix A of your report?</p> <p>5 A. I believe it is listed at -- that's Page 2, U.S.</p> <p>6 Food and Drug Administration Development Approval Process.</p> <p>7 Q. Okay. Anything else?</p> <p>8 A. I relied on my knowledge and experience in the</p> <p>9 industry, knowing how the process works.</p> <p>10 Q. Okay. Did you also rely on the Orange Book</p> <p>11 preface that's listed in your Appendix A?</p> <p>12 A. Yes, I referenced the Orange Book.</p> <p>13 Q. I'm sorry, I miss -- I think I misheard you. I</p> <p>14 thought the only item that you had mentioned from</p> <p>15 Appendix A was the U.S. Food and Drug Administration</p> <p>16 Development Approval process?</p> <p>17 A. Clearly the Orange Book is listed in the</p> <p>18 Appendix A as well, so let me clarify and say that I</p> <p>19 referenced that in addition. I think that's --</p> <p>20 Q. Okay.</p> <p>21 A. -- quite obvious.</p> <p>22 Q. So it would be those two items from Appendix A,</p> <p>23 correct?</p> <p>24 A. In addition to my knowledge and experience,</p> <p>25 understanding how the process works.</p>	<p style="text-align: right;">Page 109</p> <p>1 MS. ISIDRO: I'll restate the question.</p> <p>2 BY MS. ISIDRO:</p> <p>3 Q. Does the MADA Third Party Payor Plaintiff's Fact</p> <p>4 Sheet form the basis of any aspect of your statements in</p> <p>5 Paragraphs 29 through 32 of your report?</p> <p>6 A. No. Not the basis.</p> <p>7 Q. In Paragraphs 33 through 41 of your report, you</p> <p>8 discuss definitions and significance of therapeutic</p> <p>9 equivalence code; is that correct?</p> <p>10 A. That is correct.</p> <p>11 Q. What did you rely on in formulating your</p> <p>12 Paragraphs 33 through 41 of your report?</p> <p>13 MR. HANSEL: Object to the form.</p> <p>14 A. The FDA information on the Orange Book.</p> <p>15 BY MS. ISIDRO:</p> <p>16 Q. Uh-huh.</p> <p>17 A. And the explanation of therapeutic equivalence</p> <p>18 codes, public information.</p> <p>19 Q. And just to make sure I understand the</p> <p>20 explanation of therapeutic equivalence codes, do you mean</p> <p>21 within the Orange Book itself or are you referring to</p> <p>22 something different?</p> <p>23 A. The TE codes or therapeutic equivalence codes are</p> <p>24 present in the Orange Book.</p> <p>25 Q. Okay. So the -- so those are the -- that's what</p>

28 (Pages 106 - 109)

Veritext Legal Solutions

800-227-8440

973-410-4040

<p style="text-align: right;">Page 110</p> <p>1 you're referring to?</p> <p>2 A. As I understand your question, yes.</p> <p>3 Q. Okay. In Paragraphs 42 and 43 you discuss</p> <p>4 criteria for entry into the Orange Book; is that correct?</p> <p>5 A. Yes.</p> <p>6 Q. What is the basis for your statements in</p> <p>7 Paragraphs 42 and 43?</p> <p>8 A. The FDA process established for drugs seeking</p> <p>9 approval.</p> <p>10 Q. Is that the last item listed on Appendix A of</p> <p>11 your report?</p> <p>12 MR. HANSEL: Object to the form.</p> <p>13 A. That has the FDA item on the -- on the appendix,</p> <p>14 yes, but as I said, all of the items in my appendix</p> <p>15 could've played a role in my -- all of my -- entirety of my</p> <p>16 expert opinion.</p> <p>17 BY MS. ISIDRO:</p> <p>18 Q. I was asking specifically the response you gave</p> <p>19 to the prior question.</p> <p>20 MS. ISIDRO: So could you read it back, that</p> <p>21 prior question and answer?</p> <p>22 (The requested portion was read back.)</p> <p>23 MR. HANSEL: Object to the form.</p> <p>24 BY MS. ISIDRO:</p> <p>25 Q. So, Dr. Panagos, in that response when you said</p>	<p style="text-align: right;">Page 112</p> <p>1 MS. ISIDRO: Could you please read back the last</p> <p>2 question before the speaking objection, and I don't</p> <p>3 believe there was an answer, but if there was please</p> <p>4 read that too.</p> <p>5 (The requested portion was read back.)</p> <p>6 MR. HANSEL: Object to the form.</p> <p>7 A. You're referring to the Orange Book, the process</p> <p>8 by which a drug can gain approval and list -- to be listed</p> <p>9 in the Orange Book is public information on brand and</p> <p>10 generic drugs and the processing must follow as established</p> <p>11 by the FDA. It's an authoritative source.</p> <p>12 BY MS. ISIDRO:</p> <p>13 Q. So, Doctor, in making your statements in</p> <p>14 Paragraph 42 of your report, I understand your response to</p> <p>15 be that you have relied on the U.S. Food and Drug</p> <p>16 Administration Development Approval Process. Am I</p> <p>17 understanding that to be -- am I correctly understanding</p> <p>18 that to be one of the bases for your statement in Paragraph</p> <p>19 42 of your report?</p> <p>20 A. One of the bases.</p> <p>21 Q. Okay. What are the other bases for your</p> <p>22 statement in Paragraph 42 of your report?</p> <p>23 A. The Orange Book itself, my experience, education,</p> <p>24 and professional capacity and -- and -- and my day-to-day</p> <p>25 experience in this field.</p>
<p style="text-align: right;">Page 111</p> <p>1 the FDA process established for drugs seeking approval,</p> <p>2 were you referring to the last item that's listed in the</p> <p>3 Appendix A of your report or were you referring to</p> <p>4 something else?</p> <p>5 MR. HANSEL: Object to the form. Asked and</p> <p>6 answered repeatedly.</p> <p>7 The -- the witness has testified numerous times</p> <p>8 about things she relied on for the entirety of her</p> <p>9 report, and this repeated attempt to pigeonhole her is</p> <p>10 just unfair and it -- could we stipulate that her</p> <p>11 previous testimony about what she's relied on for her</p> <p>12 entire report will apply to each question about what</p> <p>13 she relied on for a particular paragraph?</p> <p>14 MS. ISIDRO: Let the record reflect that counsel</p> <p>15 is making an inappropriate speaking objection.</p> <p>16 Defendants are entitled to explore the basis for the</p> <p>17 statements and conclusions in Dr. Panagos's report as</p> <p>18 a proffered expert in this litigation.</p> <p>19 MR. HANSEL: Will you stipulate?</p> <p>20 MS. ISIDRO: So -- we will not stipulate to waive</p> <p>21 our rights to explore the basis for her statements and</p> <p>22 conclusions in her report.</p> <p>23 MR. DORNER: Hello. This is Drew Dorner. ZHP</p> <p>24 will not stipulate either to your proposed</p> <p>25 stipulation.</p>	<p style="text-align: right;">Page 113</p> <p>1 Q. Any other bases that you're relying on for your</p> <p>2 statements in Paragraph 42 of your report?</p> <p>3 A. No.</p> <p>4 Q. And what are you relying on for your statements</p> <p>5 in Paragraph 43 of your report?</p> <p>6 A. The same.</p> <p>7 Q. Okay. You state in Paragraph 44 that a generic</p> <p>8 drug is a copy of a branded drug in terms of dosage,</p> <p>9 administration, and performance. What is your basis for</p> <p>10 that statement?</p> <p>11 A. My understanding of a generic drug from my</p> <p>12 education, my experience, and the information on -- in --</p> <p>13 I've listed in Appendix A.</p> <p>14 Q. And which of the items listed in Appendix A are</p> <p>15 you relying on for the statement that a generic drug is a</p> <p>16 copy of a branded drug in terms of dosage, administration,</p> <p>17 and performance?</p> <p>18 A. All of the information except for the claims</p> <p>19 data.</p> <p>20 Q. So that includes -- so you are relying for</p> <p>21 purposes of that statement on the MADA Third Party</p> <p>22 Player -- Third Party Payor Plaintiff's Fact Sheet?</p> <p>23 A. No. I include that as part of the claim, so let</p> <p>24 me clarify.</p> <p>25 Q. Okay.</p>

29 (Pages 110 - 113)

Veritext Legal Solutions

800-227-8440

973-410-4040

<p style="text-align: right;">Page 114</p> <p>1       A. Not the Plaintiff Fact Sheet.</p> <p>2       Q. Okay. Because you also have an item called MADA</p> <p>3       Claims Data for Recalled Valsartan.</p> <p>4       A. Those go together.</p> <p>5       Q. Okay. So you did not rely on that? You did</p> <p>6       not -- did you rely on the MSP Third Party Payor</p> <p>7       Plaintiff's Fact Sheet?</p> <p>8       A. No.</p> <p>9       Q. Okay. Other than those three items in Appendix A</p> <p>10      to your report, you relied on all of the other items for</p> <p>11      purposes of the statement that a generic drug is a copy of</p> <p>12      a branded drug in terms of dosage, administration, and</p> <p>13      performance?</p> <p>14      A. Including my knowledge, education, all --</p> <p>15      Q. Did --</p> <p>16      A. -- and -- yeah.</p> <p>17      Q. Did you rely on the FIN Declaration for purposes</p> <p>18      of that statement?</p> <p>19      A. No.</p> <p>20      Q. Okay. In Paragraph 44 you go on to say that</p> <p>21      generic drugs must be bioequivalent to the branded drug,</p> <p>22      meaning the generic drug will work the same way in the body</p> <p>23      and be as safe and effective as the brand name drug.</p> <p>24      A. That is correct.</p> <p>25      Q. What are you relying on in making that statement</p>	<p style="text-align: right;">Page 116</p> <p>1       because they are deemed to be safe and effective. It is</p> <p>2       really -- the -- the foundation or the basis that</p> <p>3       determined whether a generic drug meets the criteria for</p> <p>4       inclusion on a -- for consideration on a formulary, they</p> <p>5       are listed in the Orange Book or not.</p> <p>6       BY MS. ISIDRO:</p> <p>7       Q. Is it specifically the FDA's therapeutic</p> <p>8       equivalence evaluation that -- that determines whether a</p> <p>9       generic equivalent can be substituted?</p> <p>10      MR. HANSEL: Object to the form.</p> <p>11      A. They must have an approved ANDA and have a</p> <p>12      therapeutic equivalence code assigned to the medication</p> <p>13      that allows them to be considered substitutable.</p> <p>14       BY MS. ISIDRO:</p> <p>15      Q. And which are the codes that allow them to be</p> <p>16      considered substitutable?</p> <p>17      A. AB.</p> <p>18      Q. You state in Paragraph 46 that TPPs and P&amp;T</p> <p>19      committees expressly rely upon the manufacturer's</p> <p>20      compliance with all applicable standards, obligations, and</p> <p>21      regulations.</p> <p>22      What is your basis for that statement in</p> <p>23      Paragraph 46?</p> <p>24      MR. HANSEL: Object to the form.</p> <p>25      A. The information presented to the FDA for approval</p>
<p style="text-align: right;">Page 115</p> <p>1       in Paragraph 44?</p> <p>2       MR. HANSEL: Object to the form.</p> <p>3       A. Relying on my education, my degrees, my licensure</p> <p>4       as a pharmacist. It's a critical component to performing</p> <p>5       my day-to-day functions and understanding that foundational</p> <p>6       component, what a generic drug is. So I -- I rely on my</p> <p>7       education and my experience and the items I've listed in</p> <p>8       the appendix.</p> <p>9       BY MS. ISIDRO:</p> <p>10      Q. What FDA regulation or regulations define the</p> <p>11      term bioequivalent?</p> <p>12      A. I was not asked to study that, so -- so I'm not</p> <p>13      going to answer that at this time. I'd have to study the</p> <p>14      FDA regulations very closely to be able to give a</p> <p>15      thoughtful and complete answer to -- to that question.</p> <p>16      Q. Paragraph 45 you state that the substitution of</p> <p>17      generic equivalents, drugs considered bioequivalent by FDA,</p> <p>18      are encouraged by PBMs to provide the best care at an</p> <p>19      affordable cost.</p> <p>20      What is your basis for that statement?</p> <p>21      MR. HANSEL: Object to the form.</p> <p>22      A. The Orange Book lists drugs that are approved to</p> <p>23      their referenced listed drug product to be the same and</p> <p>24      effective and to be considered -- a consideration for the</p> <p>25      formulary. Those drugs are considered substitutable</p>	<p style="text-align: right;">Page 117</p> <p>1       by an ANDA application is presented by the manufacturer who</p> <p>2       is responsible for the information they provide.</p> <p>3       BY MS. ISIDRO:</p> <p>4       Q. And what is your answer based on?</p> <p>5       MR. HANSEL: Object to the form.</p> <p>6       A. The application is submitted by the manufacturer</p> <p>7       who is responsible for the information they provide the FDA</p> <p>8       to be considered for approval. That includes all aspects</p> <p>9       related to that application.</p> <p>10      BY MS. ISIDRO:</p> <p>11      Q. What is your support for that response?</p> <p>12      MR. HANSEL: Object to the form.</p> <p>13      A. Manufacturers are responsible for their</p> <p>14      medication. They're responsible for the quality control,</p> <p>15      ensuring that that medication is safe and effective to --</p> <p>16      when they're applying for that approval -- seeking approval</p> <p>17      by the FDA. It's their responsibility to ensure that it's</p> <p>18      safe and effective.</p> <p>19      BY MS. ISIDRO:</p> <p>20      Q. Is that your own opinion?</p> <p>21      MR. HANSEL: Object to the form.</p> <p>22      A. In my professional capacity, that is what I</p> <p>23      believe to be correct.</p> <p>24      BY MS. ISIDRO:</p> <p>25      Q. Within Paragraph 46 of your report, what are you</p>

30 (Pages 114 - 117)

<p style="text-align: right;">Page 118</p> <p>1 relying on in making a representation as to what TPPs      2 expressly rely upon?      3 MR. HANSEL: Object to the form.      4 A. So 46 refers to the P&amp;T committee, which the P&amp;T      5 committee will make the decision whether the drug will be      6 considered for the formulary or not.      7 I don't understand your question if you're asking      8 something else.      9 BY MS. ISIDRO:      10 Q. Sure. There's -- there's a statement in      11 Paragraph 46 of your report that TPPs and P&amp;T committees      12 expressly rely upon the manufacturer's compliance with all      13 applicable standards, obligations, and regulations.      14 A. Correct. Via the NDA. The manufacturer has to      15 provide that information to the FDA via their ANDA      16 application to be considered for approval and that's the      17 information that's relied upon for the approval.      18 Q. Okay. And you say that that information is -- is      19 expressly relied upon by the TPPs and the P&amp;T committees,      20 correct?      21 A. That information is relied upon as it's provided      22 in their application submitted to the FDA for approval.      23 Q. But am I correct in saying that Paragraph 46 of      24 your report states that that information is expressly      25 relied upon by TPPs and P&amp;T committees?</p>	<p style="text-align: right;">Page 120</p> <p>1 the formulary.      2 Q. Can you point to any document in which a TPP      3 expressly relies upon the manufacturer's compliance with      4 all applicable standards, obligations and regulations?      5 A. That is done via -- referencing the Orange Book      6 and the approval status of the drugs.      7 Q. So when you say that they expressly rely upon      8 that information, am I understanding correctly that what      9 you mean by that statement is that they --      10 A. It is the responsibility of the manufacturer to      11 provide that information on their drug application, follow      12 the process established by the FDA for their drugs to be      13 considered for approval in the United States and considered      14 for coverage on the drug formulary.      15 MS. ISIDRO: Can you please read back the prior      16 question and answer, not this one.      17 (The requested portion was read back.)      18 BY MS. ISIDRO:      19 Q. Can you point to any document in which a P&amp;T      20 committee expressly relies upon the manufacturer's      21 compliance with all applicable standards, obligations, and      22 regulations?      23 MR. HANSEL: Object to the form.      24 A. The Orange Book is a representation of a list of      25 drugs approved safe and effective for use in the United</p>
<p style="text-align: right;">Page 119</p> <p>1 A. It's relied upon in that it -- it's provided to      2 the applic- -- in the application for approval.      3 Q. Okay. Do you see the word expressly in Paragraph      4 46 of your report?      5 A. Yes.      6 Q. What did you mean by the word expressly in      7 Paragraph 46 of your report?      8 A. That it is -- that it is the responsibility of      9 the manufacturer to provide all the information, in      10 conjunction with their medication, seeking approval by the      11 FDA. It is their responsibility to do that.      12 Q. And Paragraph 46 says that TPPs and P&amp;T      13 committees expressly rely, correct?      14 A. Right. Because the manufacturers are providing      15 that information on their ANDA application seeking approval      16 by the FDA.      17 Q. So am I not understanding your sentence in      18 Paragraph 46 correctly, that the TPPs and the P&amp;Ts are the      19 ones who expressly rely upon the information you're      20 referencing?      21 A. Once that medication is approved, because they      22 have provided that -- the manufacturer has complied with      23 all the requirements needed for approval, that medication      24 is listed in the Orange Book as having complied and so they      25 will -- that suffices the requirement for consideration to</p>	<p style="text-align: right;">Page 121</p> <p>1 States.      2 BY MS. ISIDRO:      3 Q. Is the Orange Book issued by P&amp;T committees?      4 A. No. It's issued by the FDA.      5 Q. Right. So the P&amp;T committee is not making any      6 express statements in the Orange Book, correct?      7 A. No, they're not.      8 Q. Have you read the ANDA for any      9 Valsartan-containing drug?      10 A. No.      11 Q. You state in Paragraph 47 that the AB rating in      12 the FDA Orange Book based as it is on the generic drug      13 manufacturer's ANDA represents a manufacturer's warranty to      14 TPPs and P&amp;T committees for placement on a prescription      15 drug formulary.      16 What do you mean by the term warranty in      17 Paragraph 47?      18 MR. HANSEL: Objection. Calls for a legal      19 conclusion.      20 MS. ISIDRO: It's a term she's used in her      21 report. I'm entitled to ask her what she means by it      22 when she uses it in her report.      23 Can you please read back the question?      24 MR. HANSEL: Can we stipulate that every time you      25 ask a question about warranty I'm making a continuing</p>

31 (Pages 118 - 121)

<p style="text-align: right;">Page 122</p> <p>1      objection that it's -- I object to the form because it      2      is calling for a legal conclusion? Will you stipulate      3      to that continuing objection so I don't have to repeat      4      myself every time you ask a question about warranty.      5          MS. ISIDRO: No. I will not stipulate to that      6      unless she will withdraw the use of the term warranty      7      from her report in which case I don't have to ask      8      about it anymore.</p> <p>9          ZOOM PARTICIPANT: There's a pending question.      10     Does the witness remember the question?</p> <p>11          MS. ISIDRO: I was just going to ask that it be      12     read back, please.</p> <p>13          THE WITNESS: Thank you.</p> <p>14          ZOOM PARTICIPANT: Ask her if she remembers it      15     and let her answer it. Do you remember the      16     question?</p> <p>17          THE WITNESS: I'd like for it to be read back.</p> <p>18          ZOOM PARTICIPANT: Thank you.</p> <p>19          THE WITNESS: Thank you.</p> <p>20     (The requested portion was read back.)</p> <p>21          MR. HANSEL: Objet to the form.</p> <p>22          A. The warranty represents their promise or      23     assurance that their drug is safe and effective and      24     equivalent to the referenced listed drug product; the same      25     as the referenced listed drug product.</p>	<p style="text-align: right;">Page 124</p> <p>1      BY MS. ISIDRO:      2          Q. But does it form part of what you're relying on      3      in making the statement in Paragraph 47 of your report?      4          A. It refers -- Footnote 6 refers to P&amp;T committees.      5      What manufacturers represent in their ANDA is -- when the      6      ANDA's approved, it's -- it means that the manufacturer has      7      sufficed and is compliant to receive approval of a      8      medication deemed safe and effective.      9          Q. Why do you reference -- withdrawn.      10        Why did you include Footnote 6 on Paragraph 47?      11        A. As a reference for P&amp;T committees.      12        Q. And what is the purpose of including that in      13     Paragraph 47?      14        MR. HANSEL: Objection: Asked and answered.      15        A. ASHP or the guidelines that they -- or      16     they're -- they're a respected industry organization,      17     pharmacy organization that have credible information.      18        BY MS. ISIDRO:      19        Q. How does the document that is referenced in      20     Footnote 6 relate to your statement in Paragraph 47 of your      21     report?      22        MR. HANSEL: Objet to the form. Asked and      23     answered, repeatedly.      24        A. Again, when a manufacturer's ANDA's approved, it      25     represents that they've met all the requirements needed for</p>
<p style="text-align: right;">Page 123</p> <p>1      BY MS. ISIDRO:      2          Q. When you use the term warranty in your report, do      3      you understand that to be a legal term?      4          MR. HANSEL: Objet to the form.      5          A. No. It's a term that refers to a promise, an      6     assurance, a guarantee that that manufacturer has set      7     forth.      8          BY MS. ISIDRO:      9          Q. What are you relying on in making the statements      10     that you've made in Paragraph 47 of your report?      11          MR. HANSEL: Objet to the form.      12          A. When an ANDA is approved, it means that the      13     manufacturer has fulfilled the requirements, including      14     safety and effectiveness, for their drug to be approved.      15          BY MS. ISIDRO:      16          Q. You reference -- you reference a document in      17     Footnote 6 at the end of Paragraph 47?      18          A. Uh-huh.      19          Q. Is that correct?      20          A. Yes.      21          Q. Are you relying on that document for purposes of      22     the statement that you've made in Paragraph 47 of your      23     report?      24          MR. HANSEL: Objet to the form.      25          A. Not exclusively.</p>	<p style="text-align: right;">Page 125</p> <p>1      approval of that drug. That information is public      2     information, industry accepted among professionals.      3          BY MS. ISIDRO:      4          Q. Does the document referenced in Footnote 6      5     mention warranties at all?      6          MR. HANSEL: Objet to the form.      7          A. I don't recall.      8          BY MS. ISIDRO:      9          Q. Okay.      10        MS. ISIDRO: Can we mark this as Exhibit 5?      11        (Exhibit No. 5 was marked for identification.)      12        THE WITNESS: Thank you.      13        BY MS. ISIDRO:      14        Q. Doctor, you've just been handed Exhibit 5. Is      15     that the document that's referenced in Footnote 6?      16        A. Yes.      17        Q. I'll give you a moment to look it over so that      18     you can refresh your recollection as to whether that      19     document mentions warranties at all.      20        MR. HANSEL: Objection. It takes more than a      21     moment to determine whether a 12-paged document with 3      22     columns on each page contains a single word at least      23     once.      24        MS. ISIDRO: I'll give her as much time as she      25     needs.</p>

<p style="text-align: right;">Page 126</p> <p>1 MR. HANSEL: Great.</p> <p>2 THE WITNESS: Okay. What would you like me to</p> <p>3 answer?</p> <p>4 BY MS. ISIDRO:</p> <p>5 Q. Does Exhibit 5 discuss warranties at all?</p> <p>6 A. Exhibit 5 discusses P&amp;T committee's formulary</p> <p>7 systems process for the formulary system, which includes</p> <p>8 safe and effective medications, which safe and effective</p> <p>9 medications are the responsibility of the manufacturer to</p> <p>10 uphold as part of their application process in seeking</p> <p>11 approval, and then for review by a P&amp;T committee and</p> <p>12 consideration for the formulary. Exhibit 5 speaks to all</p> <p>13 of that.</p> <p>14 Q. But it doesn't speak to warranties, does it?</p> <p>15 A. A warranty is the promise that that manufacturer</p> <p>16 makes to -- to the people, to the world that their drug is</p> <p>17 safe and effective. It is by that promise that they</p> <p>18 suffice in doing that, that they obtain approval by the</p> <p>19 FDA.</p> <p>20 Q. Can you show me where Exhibit 5 discusses the</p> <p>21 promise that a manufacturer makes to the world?</p> <p>22 A. If you're looking for those words verbatim, you</p> <p>23 would not find them, but --</p> <p>24 Q. Okay.</p> <p>25 A. -- if you are a clinical person or someone</p>	<p style="text-align: right;">Page 128</p> <p>1 The entire document is a well constructed</p> <p>2 document industry accepted by professionals as capturing</p> <p>3 the process for -- capturing the process for medication</p> <p>4 strategies, approvals, P&amp;T functions, and placement on the</p> <p>5 formulary. It really is -- provides a lot of insight that</p> <p>6 the process is established and followed so that drugs can</p> <p>7 be considered on the formulary if they have obtained FDA</p> <p>8 approval by demonstrating that they are safe and effective</p> <p>9 and it's throughout the document that that can be picked up</p> <p>10 on.</p> <p>11 BY MS. ISIDRO:</p> <p>12 Q. And you cited Exhibit 5 as support for your</p> <p>13 statement in Paragraph 47 of your report, correct?</p> <p>14 A. Yes.</p> <p>15 MR. HANSEL: Take a break?</p> <p>16 MS. ISIDRO: We can go ahead and take a break</p> <p>17 now.</p> <p>18 THE VIDEOGRAPHER: The time is 3:09 p.m., and we</p> <p>19 are going off record.</p> <p>20 (Break taken.)</p> <p>21 THE VIDEOGRAPHER: The time is 3:21 p.m., and we</p> <p>22 are back on the record.</p> <p>23 BY MS. ISIDRO:</p> <p>24 Q. Doctor, in Paragraph 52 of your report, you state</p> <p>25 that manufacturers are responsible for understanding their</p>
<p style="text-align: right;">Page 127</p> <p>1 familiar with the ASHP or the formulary process, you would</p> <p>2 understand the process around brand and generic drug</p> <p>3 approvals, formulary process, P&amp;T committees, this is what</p> <p>4 we do, and it is industry practice that the drug must meet</p> <p>5 safe and effective -- be in compliance in order to gain</p> <p>6 approval by the FDA. Drugs that are not FDA approved would</p> <p>7 never be part of a drug formulary.</p> <p>8 Q. Okay. And even if not in those specific words, a</p> <p>9 promise that a manufacturer makes to the world, can you</p> <p>10 show me where in Exhibit 5 that concept is discussed?</p> <p>11 A. Page 910 talks about evaluating medications for</p> <p>12 inclusion on the -- in the formulary. That entire section</p> <p>13 refers to the process by which evidence based data should</p> <p>14 be used as part of the process.</p> <p>15 Let me go back over here. The section on P&amp;T</p> <p>16 committee, the section on managing formulary systems, all</p> <p>17 of those sections include the process that is accepted for</p> <p>18 drugs that have -- that can be considered for formulary.</p> <p>19 Q. Okay. Any other sections of Exhibit 5?</p> <p>20 A. There is sections on Page 9 on -- Page 911,</p> <p>21 sorry, generic drugs, formulary exceptions, subformularies,</p> <p>22 therapeutic --</p> <p>23 MR. MESTRE: Are you getting close to a moment</p> <p>24 where you can --</p> <p>25 A. Yeah. I'll just finish this.</p>	<p style="text-align: right;">Page 129</p> <p>1 processes which includes presenting the presence of</p> <p>2 unacceptable -- of unacceptable and impurities.</p> <p>3 A. Right.</p> <p>4 Q. What do you mean by the term impurities in that</p> <p>5 paragraph?</p> <p>6 A. Any substance that does not belong in the</p> <p>7 medication.</p> <p>8 Q. Do you understand -- let me rephrase that.</p> <p>9 As you use them in your report, are the terms</p> <p>10 contaminants and impurities interchangeable?</p> <p>11 A. They --</p> <p>12 MR. HANSEL: Object to the form.</p> <p>13 A. They could be.</p> <p>14 BY MS. ISIDRO:</p> <p>15 Q. But I -- I'd like to know, specifically as you've</p> <p>16 used them in your report, are you using the terms as</p> <p>17 interchangeable?</p> <p>18 A. Impurities or contaminants are items or things</p> <p>19 present that should not be there and potentially dangerous,</p> <p>20 not safe, and not effective.</p> <p>21 Q. In your report are you referring to different</p> <p>22 things when you use the term impurities than when you use</p> <p>23 the term contaminants?</p> <p>24 A. Within the scope of this case and this report</p> <p>25 they can be looked at similar.</p>

33 (Pages 126 - 129)

Veritext Legal Solutions

800-227-8440

973-410-4040

<p style="text-align: right;">Page 130</p> <p>1       Q. Is there any distinction to you in your use of      2 the term impurities in your report versus your use of the      3 term contaminants in your report?</p> <p>4       A. No.</p> <p>5       Q. Do you know whether FDA views the terms      6 impurities and contaminants as interchangeable?</p> <p>7       A. I do not know if they view them as      8 interchangeable.</p> <p>9       Q. Okay. What is your basis for the statement in      10 Paragraph 52 that manufacturers are responsible for      11 understanding their processes, which includes preventing      12 the presence of unacceptable and impurities?</p> <p>13       A. Manufacturers are the ones submitting their      14 application requesting approval; therefore, they are      15 responsible for all the information they provide within      16 that application.</p> <p>17       Q. And what are you relying on in stating that      18 conclusion?</p> <p>19       A. Manufacturers are submitting an ANDA in this --      20 in this case. They are requesting that approval. They are      21 providing the information.</p> <p>22       Q. So is that your personal opinion based on the      23 fact that they're the ones submitting the information?</p> <p>24       A. They are applying for approval, so they must      25 adhere to the requirements set forth by the FDA in order to</p>	<p style="text-align: right;">Page 132</p> <p>1       A. That is the industry accepted understanding of      2 what -- if a manufacturer is seeking approval of their      3 drug, they must file an application with the FDA. In the      4 case of a generic drug the application is called an ANDA      5 and that is filed with the FDA by the manufacturer who is      6 seeking approval of their drug. That application must meet      7 the requirements set forth by the FDA to be compliant,      8 safe, and effective.</p> <p>9       Q. In Paragraph 55 you state that P&amp;T committees and      10 TPPs rely on an Orange Book listing that a manufacturer™s      11 compliance means their drugs meet FDA regulations and as      12 such are suitable for formulary placement and reimbursable      13 under a prescription drug benefit plan.</p> <p>14       What is the basis for this statement in Paragraph      15 55 of your report?</p> <p>16            MR. HANSEL: Object to the form.</p> <p>17       A. My education, experience, and familiarity with      18 P&amp;T committees.</p> <p>19            BY MS. ISIDRO:</p> <p>20       Q. Anything else?</p> <p>21            MR. HANSEL: Object to the form.</p> <p>22       A. I've answered the question.</p> <p>23            BY MS. ISIDRO:</p> <p>24       Q. Okay. So that is -- that is the only thing that      25 you're relying on making your statement in Paragraph 55 of</p>
<p style="text-align: right;">Page 131</p> <p>1 obtain that approval. So they must provide all of the      2 information required. Manufacturers must provide that.</p> <p>3       Q. Must provide all of the information required      4 by --</p> <p>5       A. Required for consideration for approval of their      6 drug by the FDA, yes.</p> <p>7       Q. And that is what you are relying on in stating --      8 let me rephrase.</p> <p>9       And that is what you are relying on in making      10 your statement in Paragraph 52?</p> <p>11       A. I'm relying on the fact that manufacturers submit      12 applications for drug approval. It's a common, known fact.</p> <p>13       Q. Are you relying on any specific FDA regulations      14 in making your statement in Paragraph 52?</p> <p>15       A. I don't understand your question.</p> <p>16       Q. Are there any specific FDA regulations that      17 you're relying on in making your statement in Paragraph 52      18 of your report?</p> <p>19       A. The FDA regulates that if a manufacturer is      20 seeking approval of their drug, they must file -- if it's a      21 generic drug, which we're talking about specifically, they      22 must file an ANDA application and meet the requirements for      23 approval.</p> <p>24       Q. And is that a specific FDA regulation that you're      25 referring to or is that your general understanding?</p>	<p style="text-align: right;">Page 133</p> <p>1       your report?</p> <p>2            MR. HANSEL: Object to the form.</p> <p>3       A. As it pertains to generic drugs, yes.</p> <p>4            BY MS. ISIDRO:</p> <p>5       Q. Okay. And as it pertains to brand drugs?</p> <p>6       A. Brand drugs follow another process by the P&amp;T      7 committee which is not the scope of this opinion.</p> <p>8       Q. Okay. So does Paragraph 55 refer to anything      9 other than generic drugs, any other categories of drugs?</p> <p>10       A. Again, the Orange Book lists drugs that are      11 approved in the United States. That's -- also includes      12 brand drugs as well as their generic approved drug product.</p> <p>13       So to the extent that I understand your question,      14 P&amp;T committees and TPPs will rely on the information in      15 part listed in the Orange Book that lists the approved      16 medications approved by the FDA for sale in the United      17 States or marketing in the United States.</p> <p>18       Q. And are you relying on anything other than your      19 education and experience in making that statement?</p> <p>20            MR. HANSEL: Object to the form.</p> <p>21       A. My experience with P&amp;T committees. Again, my      22 day-to-day functions are keeping knowledgeable with the      23 industry practice, functions, drug information. That's all      24 part of what I do so I'm comfortable with what's required      25 or what components are essential.</p>

<p style="text-align: right;">Page 134</p> <p>1 BY MS. ISIDRO:</p> <p>2 Q. And that is what you are relying on in making</p> <p>3 your statements in Paragraph 55 of your report and nothing</p> <p>4 else?</p> <p>5 MR. HANSEL: Object to the form.</p> <p>6 A. If we're being specific on a generic drug, the --</p> <p>7 they will -- P&amp;T committees will look to the Orange Book</p> <p>8 for that substitutability rating. Once that rating is --</p> <p>9 once that drug has established that classification, it can</p> <p>10 be considered for the formulary, if it has -- can -- it has</p> <p>11 met FDA approval and it, in terms of generic drugs, is</p> <p>12 really what the reference point is so.</p> <p>13 BY MS. ISIDRO:</p> <p>14 Q. Okay. And -- and what are you basing that answer</p> <p>15 on?</p> <p>16 MR. HANSEL: Object to the form.</p> <p>17 A. Understanding how P&amp;T committees work --</p> <p>18 BY MS. ISIDRO:</p> <p>19 Q. Did --</p> <p>20 A. -- when -- with regards to generic drugs.</p> <p>21 Q. And the basis for that understanding?</p> <p>22 MR. HANSEL: Object to the form.</p> <p>23 A. My experience with P&amp;T committees.</p> <p>24 BY MS. ISIDRO:</p> <p>25 Q. Anything else?</p>	<p style="text-align: right;">Page 136</p> <p>1 including my education and 20 plus years of experience</p> <p>2 within this industry, including familiarity and knowledge</p> <p>3 on P&amp;T committees.</p> <p>4 BY MS. ISIDRO:</p> <p>5 Q. Paragraph 56 again uses the term warranties. Is</p> <p>6 your use of the term warranties in Paragraph 56 referring</p> <p>7 to the same thing that your use of the term warranty of</p> <p>8 Paragraph 47 of your report refers to?</p> <p>9 MR. HANSEL: Object to the form.</p> <p>10 A. Yes. It refers to the same.</p> <p>11 BY MS. ISIDRO:</p> <p>12 Q. Okay. What is the basis for your statement in</p> <p>13 Paragraph 56 of your report?</p> <p>14 MR. HANSEL: Objection to form.</p> <p>15 A. When a drug is placed on the formulary, it's met</p> <p>16 the -- it's met the approval criteria approved by the FDA,</p> <p>17 so it's met that requirement. It can be considered for</p> <p>18 placement on the formulary, and based on that consideration</p> <p>19 or inclusion on the formulary, third-party payors will</p> <p>20 reimburse that on -- for that drug because it is included</p> <p>21 on the formulary because it has met FDA approval for being</p> <p>22 safe and effective.</p> <p>23 BY MS. ISIDRO:</p> <p>24 Q. In Paragraph 57 you state in the case of</p> <p>25 Valsartan, including VCDs warranties by the manufacturers</p>
<p style="text-align: right;">Page 135</p> <p>1 MR. HANSEL: Object to the form.</p> <p>2 A. My education, experience, knowledge.</p> <p>3 BY MS. ISIDRO:</p> <p>4 Q. Any specific documents or regulations?</p> <p>5 A. I've listed all the documents I've reviewed in</p> <p>6 Appendix A.</p> <p>7 Q. Are there any documents listed in Appendix A that</p> <p>8 you're relying on for purposes of the statement that you've</p> <p>9 made in Paragraph 55 of your report?</p> <p>10 A. My entire report is based on all of the data and</p> <p>11 documents in Appendix A and in addition to my education and</p> <p>12 experience so.</p> <p>13 Q. Well, Doctor, I think we've identified specific</p> <p>14 examples of paragraphs within your report that don't rely</p> <p>15 on every document listed in Appendix A, correct?</p> <p>16 MR. HANSEL: Objection. Mischaracterizes</p> <p>17 previous testimony over and over again. Object to the</p> <p>18 form.</p> <p>19 BY MS. ISIDRO:</p> <p>20 Q. You can answer the question.</p> <p>21 MR. HANSEL: Same objection.</p> <p>22 A. Appendix A lists the documents, materials that I</p> <p>23 reviewed in putting together my expert opinion, a report.</p> <p>24 I've reviewed all of those documents and taken them into</p> <p>25 consideration for putting together my expert opinion,</p>	<p style="text-align: right;">Page 137</p> <p>1 were false. What time frame are you referring to in that</p> <p>2 statement?</p> <p>3 A. All of the time frame from which contaminants</p> <p>4 were found in the drug.</p> <p>5 Q. And what was that time frame?</p> <p>6 MR. HANSEL: Object to the form. Foundation.</p> <p>7 Beyond the scope of the report.</p> <p>8 A. The time frame is beyond the scope of this report</p> <p>9 and any of the time that the contaminants were in the drug</p> <p>10 is -- you know, can be considered.</p> <p>11 BY MS. ISIDRO:</p> <p>12 Q. So in -- in formulating your opinions in this</p> <p>13 report, you didn't consider the time frame in which the</p> <p>14 purported contaminants were found; is that correct?</p> <p>15 MR. HANSEL: Object to the form.</p> <p>16 A. I'm not sure I understand your question. Could</p> <p>17 you rephrase that?</p> <p>18 BY MS. ISIDRO:</p> <p>19 Q. I'm just trying to understand your answer that</p> <p>20 the time frame is outside of the scope of the report.</p> <p>21 A. I believe the time frame for the contaminants --</p> <p>22 it's -- the time frame for the contaminants has been</p> <p>23 questioned as to when the original contaminants were there,</p> <p>24 how long they were there, length of time, and so on. So I</p> <p>25 cannot comment on -- on that, other than the fact that</p>

<p style="text-align: right;">Page 138</p> <p>1 there were contaminants within the drug product.</p> <p>2 Q. Do you know when presence of NDMA in Valsartan or</p> <p>3 any VCD was first reported?</p> <p>4 A. When it was first reported? Can you be more</p> <p>5 specific? Reported by whom?</p> <p>6 Q. By anyone.</p> <p>7 A. Again, the time frame on -- I will not speculate</p> <p>8 on -- on that time frame. You're not being specific enough</p> <p>9 when you say anyone.</p> <p>10 Q. When is the first report of NDMA in Valsartan or</p> <p>11 a VCD that you are aware of?</p> <p>12 MR. HANSEL: Object to the form.</p> <p>13 A. In our -- in my professional capacity, we -- the</p> <p>14 FDA had reported the contaminants to the world basically</p> <p>15 so.</p> <p>16 BY MS. ISIDRO:</p> <p>17 Q. When did that occur?</p> <p>18 A. I believe it was 2018 or thereabout. I have</p> <p>19 to -- I'd have to go back and reference the exact date.</p> <p>20 Q. Is that also the first report that you're aware</p> <p>21 of with respect to NDEA in Valsartan or VCDs?</p> <p>22 MR. HANSEL: Object to the form.</p> <p>23 A. Yeah. I can't speculate on those precise dates</p> <p>24 of those -- each of those components. I do know that they</p> <p>25 were present though in the medication.</p>	<p style="text-align: right;">Page 140</p> <p>1 A. Yes.</p> <p>2 Q. Do you know when FDA first set interim limits for</p> <p>3 nitrosamines?</p> <p>4 A. No.</p> <p>5 Q. Do you know when FDA first established guidance</p> <p>6 on control of nitrosamines?</p> <p>7 A. Nope. That was not within the scope of my</p> <p>8 report.</p> <p>9 Q. Okay. In Paragraph 59 of your report you state</p> <p>10 that the presence of the contaminant rendered the</p> <p>11 manufacturer Defendant's versions of VCDs not equivalent to</p> <p>12 the branded product.</p> <p>13 What do you mean by the term contaminant in</p> <p>14 Paragraph 59?</p> <p>15 MR. HANSEL: Object to the form. That doesn't</p> <p>16 read the entire sentence.</p> <p>17 BY MS. ISIDRO:</p> <p>18 Q. Would you prefer if I read the entire sentence,</p> <p>19 Dr. Panagos?</p> <p>20 A. You don't have to.</p> <p>21 Q. Okay. What did you mean by the term contaminant</p> <p>22 in Paragraph 59 of your report?</p> <p>23 A. I referred to item present that should not have</p> <p>24 been present, not consistent with the reference listed drug</p> <p>25 product, and in this case unacceptable levels of a probable</p>
<p style="text-align: right;">Page 139</p> <p>1 BY MS. ISIDRO:</p> <p>2 Q. My question --</p> <p>3 A. I believe the dates are irrelevant.</p> <p>4 Q. Let me clarify my question because my question</p> <p>5 didn't refer to dates and wasn't calling for dates, so let</p> <p>6 me restate my question a different way.</p> <p>7 You referenced a report by FDA to the industry or</p> <p>8 the world with respect to called contaminants in Valsartan</p> <p>9 or in VCDs, correct?</p> <p>10 A. The FDA issued a recall. That's what I mean by</p> <p>11 report. They issued a recall on those drugs.</p> <p>12 Q. Is it your understanding that the recall that you</p> <p>13 reference was initiated by FDA?</p> <p>14 A. The FDA issued the recall. That's what I am</p> <p>15 attesting to. Who initiated the recall, again, what</p> <p>16 matters is the FDA issued the -- the recall.</p> <p>17 Q. What do you mean by the term issued?</p> <p>18 A. They provided the guidance that this recall is</p> <p>19 being set forth.</p> <p>20 Q. What is your understanding -- or what is the</p> <p>21 basis for that statement?</p> <p>22 A. Public information found on the FDA website.</p> <p>23 Q. And the announcement of a recall was -- is that</p> <p>24 the first report that you're aware of with respect to</p> <p>25 presence of NDEA in Valsartan or VCDs?</p>	<p style="text-align: right;">Page 141</p> <p>1 human carcinogen.</p> <p>2 Q. Is there a specific probable human carcinogen</p> <p>3 that you are referring to?</p> <p>4 A. The ones found within the drug that should not</p> <p>5 have been there.</p> <p>6 Q. And which ones were those?</p> <p>7 A. Both of the contaminants that are -- you've</p> <p>8 referenced.</p> <p>9 Q. I'm sorry, I didn't reference any specific</p> <p>10 contaminants in my question.</p> <p>11 A. You asked me about the contaminants in the</p> <p>12 previous question where you asked if I -- something about</p> <p>13 the FDA process around those.</p> <p>14 So to the extent that I understand your question,</p> <p>15 I will answer and say that both of the contaminants in the</p> <p>16 case of these drugs represent a deviation from the</p> <p>17 reference listed drug product and not equivalent.</p> <p>18 Q. Do you remember the names of those two</p> <p>19 contaminants that you're referring to in your response?</p> <p>20 A. They are listed within my report in Section 4,</p> <p>21 Number 12. NDA- -- NDEA and NDMA.</p> <p>22 Q. Okay. In Paragraph 59 of your report -- let me</p> <p>23 rephrase that.</p> <p>24 What is the basis for your opinion that the</p> <p>25 presence of the contaminant rendered the manufacturer</p>

<p style="text-align: right;">Page 142</p> <p>1 Defendant's versions of VCDs not equivalent to the branded      2 product?</p> <p>3 A. The contaminants were not in the branded product      4 and therefore the generic drug could not have been      5 equivalent to the branded product by the presence of the      6 contaminants within the product, within the medication.</p> <p>7 Q. In the first half of 2018 do you know whether the      8 branded product was being tested for NDMA?</p> <p>9 A. No. That was not within the scope of this      10 report.</p> <p>11 Q. In the first half of 2018 do you know whether the      12 branded product was being tested for NDEA?</p> <p>13 A. No. That was not within the scope of this      14 report.</p> <p>15 Q. At any point prior to 2018 do you know whether      16 the branded product was being tested for NDMA?</p> <p>17 A. Same response; not within the scope of this      18 report.</p> <p>19 Q. And at any point prior to 2018 do you know      20 whether the branded product was being tested for NDEA?</p> <p>21 A. Again, not within the scope of this report.</p> <p>22 Q. Section 6 of your report you provide summary of      23 your opinions; is that correct?</p> <p>24 A. Yep.</p> <p>25 Q. And Item B under this summary of opinions again</p>	<p style="text-align: right;">Page 144</p> <p>1 their original ANDA submissions, if you know?</p> <p>2 A. They must be reported to the FDA. Any changes      3 must be reported to the FDA, submitted to the FDA.</p> <p>4 Q. In the second part of Statement D under Section 6      5 of summary opinions, you state that equivalence is nulled      6 and the generic manufacturer may no longer rely on the      7 brand name drug label?</p> <p>8 A. Right.</p> <p>9 Q. What is the basis for that statement in Section      10 6D of your report?</p> <p>11 A. Uh-huh. The two --</p> <p>12 MR. HANSEL: Object to the form.</p> <p>13 A. The generic drug label no longer is identical or      14 matches the -- the brand drug label is -- is inaccurate and      15 cannot be deemed equivalent, safe, or effective.</p> <p>16 BY MS. ISIDRO:</p> <p>17 Q. And what is your basis for that statement?</p> <p>18 MR. HANSEL: Object to the form.</p> <p>19 A. For a substitutability to be applied to a      20 particular drug, they must demonstrate that they are safe      21 and effective. Deviation from that would thereby not      22 demonstrate that.</p> <p>23 BY MS. ISIDRO:</p> <p>24 Q. In Statement I under Section 6 you state that the      25 warranty from manufacturers for this products -- for these</p>
<p style="text-align: right;">Page 143</p> <p>1 mentions the term warranty. Is the term warranty being      2 used in that item 6B in the same way as it is being used in      3 Paragraph 47 of your report.</p> <p>4 MR. HANSEL: Object to the form.</p> <p>5 A. Yes.</p> <p>6 BY MS. ISIDRO:</p> <p>7 Q. In Item D under Section 6, you state that the      8 generic manufacturer -- that -- excuse me. You state that      9 if the generic manufacturer of product changes in any way      10 from the original product on the ANDA approval, then this      11 changed product is not the same as the brand name      12 medication.</p> <p>13 What is your basis for that statement in Item D      14 under Section 6 of your report?</p> <p>15 MR. HANSEL: Object to the form.</p> <p>16 A. Any changes to a generic drug product should be      17 reported to the FDA. The ANDA in -- in this case or the      18 medications in this case with the contaminants inconsistent      19 with the ANDA submitted for approval.</p> <p>20 MS. ISIDRO: Can you read back that last sentence      21 in the answer? I didn't hear the whole thing. I'm      22 sorry.</p> <p>23 (The requested portion was read back.)</p> <p>24 BY MS. ISIDRO:</p> <p>25 Q. Are ANDA holders permitted to make changes to</p>	<p style="text-align: right;">Page 145</p> <p>1 products turned out to false. Is your use --</p> <p>2 A. To be false. Yes.</p> <p>3 Q. So it should say to be false there?</p> <p>4 A. Uh-huh.</p> <p>5 Q. Okay. Is your use of the term warranty here in      6 this Statement 6I of your report, are you using that term      7 warranty there in the same way -- let me rephrase that      8 question.</p> <p>9 Are you using the term warranty in Section 6I of      10 your report in the same way that you're using it in      11 Paragraph 47 of your report?</p> <p>12 MR. HANSEL: Object to the form.</p> <p>13 A. Yes.</p> <p>14 BY MS. ISIDRO:</p> <p>15 Q. What is your basis for the statement in Paragraph      16 6I of your report that the warranty from manufacturers for      17 these products turned out to be false?</p> <p>18 MR. HANSEL: Object to the form.</p> <p>19 A. The presence of the contaminants in unacceptable      20 levels of probable human carcinogens, misrepresented with      21 inaccurate -- did not adhere to the promise they made,      22 stating that their drug met the criteria set forth by the      23 FDA for approval, which includes that to be that the drug      24 is safe and effective and identical to the brand drug --      25 reference listed drug.</p>

<p style="text-align: right;">Page 146</p> <p>1 BY MS. ISIDRO:</p> <p>2 Q. You used the phrase unacceptable levels --</p> <p>3 A. Uh-huh.</p> <p>4 Q. -- in your response. What do you mean by</p> <p>5 unacceptable levels?</p> <p>6 A. Unacceptable levels is a -- what the FDA</p> <p>7 referenced in referring to the contaminants, and I will --</p> <p>8 I adhere to the terms that they use.</p> <p>9 Q. And you say what -- what the FDA referenced.</p> <p>10 Where do you mean --</p> <p>11 A. When they --</p> <p>12 Q. -- that the FDA referenced that?</p> <p>13 A. Sorry.</p> <p>14 Q. If you could just let me finish my question.</p> <p>15 Sorry.</p> <p>16 A. Uh-huh.</p> <p>17 Q. Where are you referring to that the FDA</p> <p>18 referenced that?</p> <p>19 A. On their website.</p> <p>20 Q. In what context?</p> <p>21 A. In the context of the recall.</p> <p>22 Q. In the context of the recall. The 2018 recall?</p> <p>23 A. The recall of Valsartan.</p> <p>24 Q. You also state in Paragraph 6I of your report</p> <p>25 that TPPs paid for medications that they should not have</p>	<p style="text-align: right;">Page 148</p> <p>1 Q. Are you aware that FDA has said patients taking</p> <p>2 prescription medications with potential nitrosamine</p> <p>3 impurities should not stop taking their medications?</p> <p>4 MR. HANSEL: Object to the form.</p> <p>5 A. I am aware.</p> <p>6 BY MS. ISIDRO:</p> <p>7 Q. Do you have any knowledge as to the levels of</p> <p>8 NDMA or NDEA that were found in any particular lot of</p> <p>9 Valsartan-containing drugs?</p> <p>10 A. That was not within the scope of this report.</p> <p>11 Q. So, no, you don't have any knowledge as to those</p> <p>12 levels?</p> <p>13 MR. HANSEL: Object to the form.</p> <p>14 A. The specific levels, no.</p> <p>15 BY MS. ISIDRO:</p> <p>16 Q. Do you know whether there were certain lots of</p> <p>17 recalled Valsartan that did not contain any detectable NDMA</p> <p>18 or NDEA?</p> <p>19 MR. HANSEL: Object to the form.</p> <p>20 A. Again, not within the scope of this report. I</p> <p>21 cannot speculate.</p> <p>22 BY MS. ISIDRO:</p> <p>23 Q. Okay. So you don't know one way or the other?</p> <p>24 MR. HANSEL: Object to the form. Assumes facts</p> <p>25 not in evidence.</p>
<p style="text-align: right;">Page 147</p> <p>1 based on the manufacturer's false representation?</p> <p>2 A. That is correct.</p> <p>3 Q. What is your basis for that statement?</p> <p>4 MR. HANSEL: Object to the form.</p> <p>5 A. Medication would not have been approved with the</p> <p>6 contaminant and it would not have been considered for an</p> <p>7 inclusion on a drug formulary and it would not have been</p> <p>8 reimbursed in any way by a TPP if it was not approved.</p> <p>9 BY MS. ISIDRO:</p> <p>10 Q. Okay. Is there anything else that you're basing</p> <p>11 the statement in Paragraph 6I, that TPPs paid for</p> <p>12 medications that they should not have based -- should not</p> <p>13 have based on the manufacturer's false representation?</p> <p>14 MR. HANSEL: Object to the form.</p> <p>15 A. TPPs should not have paid for contaminated</p> <p>16 medication.</p> <p>17 BY MS. ISIDRO:</p> <p>18 Q. What is your basis for that statement?</p> <p>19 MR. HANSEL: Object to the form.</p> <p>20 A. The presence of the contaminants within the</p> <p>21 medications.</p> <p>22 BY MS. ISIDRO:</p> <p>23 Q. Anything else?</p> <p>24 A. My statement I -- is accurate the way it's</p> <p>25 written.</p>	<p style="text-align: right;">Page 149</p> <p>1 A. I would have to review. I cannot speculate to</p> <p>2 that.</p> <p>3 BY MS. ISIDRO:</p> <p>4 Q. So because you're saying you cannot speculate,</p> <p>5 that means you don't know for a fact one way or the other,</p> <p>6 correct?</p> <p>7 MR. HANSEL: Object to the form.</p> <p>8 A. I'm not sure what you mean by one way or another.</p> <p>9 Could you clarify?</p> <p>10 BY MS. ISIDRO:</p> <p>11 Q. Do you know one way or another whether there were</p> <p>12 certain lots of recalled Valsartan that did not contain any</p> <p>13 detectable NDMA or NDEA?</p> <p>14 A. No.</p> <p>15 Q. Dr. Panagos, would you agree that the main</p> <p>16 criterion for the inclusion of any product in the Orange</p> <p>17 Book is that the product is the subject of an application</p> <p>18 with an approval that has not been withdrawn for safety or</p> <p>19 efficacy reasons?</p> <p>20 A. Current approval, yes.</p> <p>21 Q. And you would agree that FDA determines</p> <p>22 bioequivalence, correct?</p> <p>23 A. It's one of the factors that they look for when</p> <p>24 evaluating drug applications.</p> <p>25 Q. In order to -- in order for a prescription drug</p>

<p style="text-align: right;">Page 150</p> <p>1 product to be considered bioequivalent to another drug      2 product, FDA has to make that determination, correct?      3 A. It's part of the --      4 MR. HANSEL: Objection to form.      5 A. It's part of their consideration.      6 BY MS. ISIDRO:      7 Q. Is there any other entity that is tasked with      8 determining bioequivalence for prescription drug products      9 in the United States besides FDA?      10 A. Not to my knowledge.      11 Q. And FDA's determination as to bioequivalence is      12 made individually for each manufacturer and each product,      13 correct?      14 A. For each submitted application, each ANDA is      15 evaluated individually.      16 Q. Okay. FDA may change a product's therapeutic      17 equivalence rating if the circumstances giving rise to a      18 violation call into question the agency's assessment of      19 whether a product meets the criteria for therapeutic      20 equivalence, correct?      21 A. Yes.      22 Q. During the time frame that -- let me rephrase      23 that.      24 Prior to the Valsartan recall in 2018, FDA did      25 not take any steps that would reflect a determination that</p>	<p style="text-align: right;">Page 152</p> <p>1 was important to me to know what their strategy was going      2 to be.      3 Q. In coming up with your opinions in this      4 litigation, did you consult with any P&amp;T committees about      5 the inclusion of Valsartan on a formulary?      6 A. No.      7 Q. And in coming up with your opinions in this      8 litigation, did you consult with any P&amp;T committee about      9 its use of the Orange Book?      10 A. No. Because I -- I know that's what they use.      11 Q. And in coming up with your opinions in this      12 litigation, did you consult with any TPPs about the      13 inclusion of Valsartan on a formulary?      14 A. No.      15 Q. In coming up with your opinions in this      16 litigation did you consult with any TPP about its use of      17 the Orange Book?      18 MR. HANSEL: Objection to form.      19 A. Let me clarify that TPPs and committees, it is      20 industry practice that they refer to the authoritative      21 source known as the Orange Book for substitutability, for a      22 list of drugs that are approved by the FDA marketed in the      23 United States.      24 This is an ongoing, continual process, and in my      25 day-to-day functions in my role as a clinical pharmacist</p>
<p style="text-align: right;">Page 151</p> <p>1 the products were no longer therapeutically equivalent,      2 correct?      3 A. Not to my knowledge.      4 Q. You didn't review bioequivalence studies for any      5 manufacturer Defendant's Valsartan-containing products, did      6 you?      7 A. No.      8 Q. Did you consult with any actual P&amp;T committees      9 about the inclusion of Valsartan on a formulary?      10 A. Could you be more specific?      11 Q. How do you mean?      12 A. Valsartan is a generic drug.      13 Q. Uh-huh.      14 A. It would meet criteria for inclusion on the      15 formulary if it is approved by the FDA following an ANDA      16 application that meets the criteria for approval set forth      17 by the FDA which -- including safety and effectiveness.      18 Q. Have you personally consulted with any actual P&amp;T      19 committees about the inclusion of Valsartan on a formulary?      20 A. I'm going to ask you to specify on time frame.      21 Q. Ever.      22 A. Following the recall it is -- the -- P&amp;T      23 committees had to kind of create a strategy around how to      24 move forward with that information as it pertains to their      25 drug formularies, and on behalf of my clients I was -- it</p>	<p style="text-align: right;">Page 153</p> <p>1 and a consultant, those are the responsibilities that are      2 consistent in industry and what are adhered -- are adhered      3 to.      4 BY MS. ISIDRO:      5 Q. In formulating your opinions in this litigation,      6 did you consult with any TPP about its use of the Orange      7 Book?      8 A. The use of the Orange Book is an established      9 process that is widely accepted and respected. It is the      10 source of truth in terms of approved products, approved by      11 the FDA and substitutable. It is the source of truth. It      12 is relied upon by P&amp;T committees for their generic      13 medications to be considered for inclusion on the      14 formulary. That does not change.      15 Q. Dr. Panagos, at this time I'm not asking you      16 about the basis of your opinions with respect to a TPP's      17 use of the Orange Book in general. I am asking you      18 whether, in formulating your opinions in this litigation,      19 did you consult with any TPP about its use of the Orange      20 Book?      21 A. No, I did not need to consult with them because      22 I'm confident that is the process that is adhered to.      23 Q. Let's -- let's go ahead and take a break.      24 THE VIDEOGRAPHER: It's 4:10 p.m., and we're      25 going off the record.</p>

39 (Pages 150 - 153)

<p style="text-align: right;">Page 154</p> <p>1                   (Break taken.)</p> <p>2         THE VIDEOGRAPHER: It is 4:34 p.m., and we are</p> <p>3         back on the record.</p> <p>4         MS. ISIDRO: Dr. Panagos, I may have some further</p> <p>5         follow-up for you at -- in a little bit, but I don't</p> <p>6         have any further questions for you right now.</p> <p>7         As I mentioned previously, there are some folks</p> <p>8         on Zoom and I'm not sure whether any of them have any</p> <p>9         questions for you right now.</p> <p>10        MR. GISLESON: Actually, I do have a few</p> <p>11        questions. Can you hear me?</p> <p>12        MR. KERNER: We can.</p> <p>13        THE WITNESS: Yes.</p> <p>14        CROSS-EXAMINATION</p> <p>15        BY MR. GISLESON:</p> <p>16        Q. Hey, Doctor. My name is John Gisleson. I</p> <p>17        represent a manufacturer named Aurobindo. Have you heard</p> <p>18        of Aurobindo before?</p> <p>19        A. Yes.</p> <p>20        Q. And are you aware that Aurobindo is a</p> <p>21        manufacturer of Valsartan and Valsartan-containing drugs?</p> <p>22        A. Yes, I'm aware.</p> <p>23        Q. Did you become aware of any public information</p> <p>24        that certain batches of Aurobindo Valsartan or</p> <p>25        Valsartan-containing drugs contained nitrosamine?</p>	<p style="text-align: right;">Page 156</p> <p>1         MR. HANSEL: Excuse me. Excuse me, Mr. Gisleson?</p> <p>2         MR. GISLESON: Yes?</p> <p>3         MR. HANSEL: Please let Dr. Panagos finish her</p> <p>4         answer. This is the second --</p> <p>5         MR. GISLESON: I'm sorry. I thought she was</p> <p>6         finished.</p> <p>7         MR. HANSEL: This is the second time you've</p> <p>8         interrupted her and perhaps there's a lag. So please</p> <p>9         give her a moment to make sure -- sometimes she thinks</p> <p>10        about her answer carefully before she's finished.</p> <p>11        Thank you.</p> <p>12        MR. GISLESON: That's helpful. Thanks for</p> <p>13        letting me know.</p> <p>14        BY MR. GISLESON:</p> <p>15        Q. I'm sorry, you can continue.</p> <p>16        A. I just want to make -- go back the original</p> <p>17        question.</p> <p>18        THE WITNESS: Could you please restate his</p> <p>19        original question?</p> <p>20        MR. HANSEL: And could you please restate her</p> <p>21        partial answer. Thank you.</p> <p>22        (The requested portion was read back.)</p> <p>23        A. Okay. So any time there is a contaminant or</p> <p>24        there is an issue with a medication, it is my</p> <p>25        responsibility to understand that as it pertains to the</p>
<p style="text-align: right;">Page 155</p> <p>1        A. I was aware that there were contaminants within</p> <p>2        Valsartan products.</p> <p>3        Q. Did you learn what those contaminants were?</p> <p>4        A. The contaminants are referenced within my report,</p> <p>5        Section 4 --</p> <p>6        Q. What was the name of the contaminants?</p> <p>7        A. -- Page -- Section 4, excuse me, Page 2, Number</p> <p>8        12, NDEA and NDMA.</p> <p>9        Q. Before this lawsuit and you were hired as an</p> <p>10      expert, had you ever heard the word nitrosamine before?</p> <p>11      A. Yes.</p> <p>12      Q. In what context?</p> <p>13      A. I am a New York State licensed pharmacist,</p> <p>14      clinical pharmacist, and in my role, my day-to-day</p> <p>15      functions, it is my responsibility to understand</p> <p>16      medications -- FDA medications, approved medications, and</p> <p>17      any concerns surrounding those medications is part of my</p> <p>18      responsibility.</p> <p>19      Q. And how did you learn what nitrosamine are?</p> <p>20      A. There is a component of toxicology that is</p> <p>21      included in our pharmacy education; however, that was --</p> <p>22      that is not within the scope of my report or the opinion</p> <p>23      that I'm rendering here.</p> <p>24      With regards --</p> <p>25      Q. Do you know how nitrosamine perform --</p>	<p style="text-align: right;">Page 157</p> <p>1        scope of my work and my responsibilities as a pharmacist</p> <p>2        and as a prescription -- a pharmacy benefit consultant.</p> <p>3        And so with regards to the generic drugs in this case,</p> <p>4        those contaminants should not have been there.</p> <p>5        BY MR. GISLESON:</p> <p>6        Q. When did you learn of the presence of</p> <p>7        nitrosamines in Valsartan-containing drugs?</p> <p>8        A. When the FDA issued the recall.</p> <p>9        Q. Do you know whether that became publicized in the</p> <p>10      third-party payor and PBM industries about the recall or</p> <p>11      voluntary recall of Valsartan-containing drugs?</p> <p>12      A. Yes.</p> <p>13      Q. Did you speak with different individuals in the</p> <p>14      industry about the recall?</p> <p>15      A. Yes. As it pertains to my clients.</p> <p>16      Q. Did you, personally, recommend that any of your</p> <p>17      clients remove a Valsartan-containing drug from their</p> <p>18      formulary because it was reported to have the presence of</p> <p>19      nitrosamines?</p> <p>20      MR. HANSEL: Objection. This gets into a number</p> <p>21      of areas that I want to comment on. This is</p> <p>22      confidential and Dr. Panagos appears today in her</p> <p>23      capacity as an expert witness, not in her capacity as</p> <p>24      a senior vice president or executive vice president of</p> <p>25      ARMSRx, and to ask her about her advice to her</p>

<p style="text-align: right;">Page 158</p> <p>1 confidential clients is outside the permitted scope of      2 this examination.</p> <p>3 BY MR. GISLESON:</p> <p>4 Q. Can you identify any of the clients for whom you      5 work pertaining to formulary issues?</p> <p>6 A. I don't think I understand your question.</p> <p>7 Do you want me to --</p> <p>8 Q. Do you consider all of your clients to be      9 confidential?</p> <p>10 A. Yes, I do.</p> <p>11 Q. Is it correct that you can't identify then any      12 client for whom you have done work concerning a formulary      13 because you consider all of your clients to be      14 confidential?</p> <p>15 A. You have to rephrase that question. It did not      16 make sense.</p> <p>17 Q. Do you consider every single one of the clients      18 for whom you have provided counseling on formulary issues      19 to be confidential?</p> <p>20 A. My clients that I provide consulting on, that      21 information is confidential, but if you're -- so I'm not      22 sure what you're asking exactly.</p> <p>23 Q. Are there any clients that you can identify for      24 whom you have provided consultation or advice concerning      25 inclusion of drugs in a formulary?</p>	<p style="text-align: right;">Page 160</p> <p>1 A. That information is confidential and does --      2 isn't pertinent to -- or within the scope of this opinion.</p> <p>3 BY MR. GISLESON:</p> <p>4 Q. So you are -- are refusing to identify the names      5 of any third-party payors in any prescription benefit      6 management companies for whom you have done work; is that      7 correct?</p> <p>8 MR. HANSEL: Object to the form. It's not a      9 refusal. She is bound by client confidentiality, so      10 she is complying with her obligation to maintain      11 client confidentiality.</p> <p>12 She's not refusing to do anything, Counselor.</p> <p>13 BY MR. GISLESON:</p> <p>14 Q. You will not answer or identify the names of any      15 of the TPPs or PBMs for whom you have done work because, in      16 your view, you're bound by confidentiality agreements that      17 prohibit you from identifying the names of those companies;      18 is that right?</p> <p>19 A. Yes. And I will respect those.</p> <p>20 Q. Now, since the time that it became public that      21 certain manufacturers of Valsartan-containing drugs found      22 the presence of nitrosamines in certain batches of their      23 products, are you aware of any TPP anywhere in the country      24 that removed a drug manufacturer from its formulary based      25 on recall?</p>
<p style="text-align: right;">Page 159</p> <p>1 MR. HANSEL: Object to the form. Do you mean      2 identify in her mind or --</p> <p>3 MR. GISLESON: The names.</p> <p>4 MR. HANSEL: -- or testify to because they're      5 confidential -- you know, because they're not      6 confidential?</p> <p>7 MR. GISLESON: Correct.</p> <p>8 BY MR. GISLESON:</p> <p>9 Q. Are there any that you can identify that you do      10 not consider to be confidential so that we can have an idea      11 of the kinds of companies that you have counseled on      12 formulary issues?</p> <p>13 MR. HANSEL: Just on the confidentiality issue,      14 she can testify about the kinds of companies.</p> <p>15 BY MR. GISLESON:</p> <p>16 Q. Can you identify any third-party payor for who      17 you have -- for whom you have performed work?</p> <p>18 MR. HANSEL: Object to the form.</p> <p>19 A. My clients include self-insured employers,      20 third-party payers. I've -- I've indicated those within my      21 expert report.</p> <p>22 BY MR. GISLESON:</p> <p>23 Q. Can you identify any of them by name?</p> <p>24 MR. HANSEL: Objection. Asked and answered.</p> <p>25 Confidential.</p>	<p style="text-align: right;">Page 161</p> <p>1 MR. HANSEL: Object to the form.</p> <p>2 A. Based on the recall there were strategies put      3 into place, thoughtful, careful strategies put into place      4 with guidance from the FDA.</p> <p>5 BY MR. GISLESON:</p> <p>6 Q. Strategies to do what?</p> <p>7 A. How to best manage the recall as it pertains to      8 patients who were taking those drugs and the best way      9 for -- you know, to handle that.</p> <p>10 Q. Can you identify any TPP anywhere in the country      11 that removed one of the Defendant's VCDs from their      12 formulary because of the recall?</p> <p>13 A. In which time frame?</p> <p>14 Q. At any point after the recall was publicized.</p> <p>15 A. That was not within the scope of this report.</p> <p>16 Again, strategies were put into place to efficiently manage      17 the recall, ensure that patients are not hurt by that.</p> <p>18 Q. Right. But this goes to your opinion that the      19 manufacturer warranty for these VCDs was false. TPPs      20 unjustly paid for medications for which they have not have      21 paid.</p> <p>22 A. Right.</p> <p>23 Q. My question is: Can you identify any TPP      24 anywhere in the country, in the United States, that removed      25 one of the Defendant's products from its formulary</p>

<p style="text-align: right;">Page 162</p> <p>1 following the recall?</p> <p>2 A. Following the recall, there were strategies put      3 in place that included those particular NDCs no longer      4 being a part of the formulary.</p> <p>5 Q. Were they removed formally from the formularies?</p> <p>6 A. I cannot speculate. They -- they were just      7 not -- they were blocked.</p> <p>8 Q. Okay. So the question's specific. Can you      9 identify any TPP anywhere in the country that, in fact,      10 removed a manufacturer's VCD from its formulary following      11 the recall?</p> <p>12 A. I will go back and say that TPPs or PBMs blocked      13 the -- the drugs that were contaminated. That time frame      14 is some point after the recall, after sufficient or      15 adequate strategy was put through to -- based on the      16 recommendations and guidance of the FDA.</p> <p>17 Q. What do you mean by blocked?</p> <p>18 A. The claims were no longer being adjudicated.</p> <p>19 Q. What do you mean by no longer adjudicated?</p> <p>20 A. If a patient went to the pharmacy with an NDC --      21 with a drug that had an NDC -- for a drug that had an NDC      22 that was a contaminated product, those NDCs would not      23 process -- they would not process on the claim's      24 adjudication so that -- because they were contaminated.</p> <p>25 Q. So because the VCDs were blocked, at that point</p>	<p style="text-align: right;">Page 164</p> <p>1 VCD that had the presence of nitrosamine?</p> <p>2 A. If a TPP had the generic drug on their formulary      3 during the time frame for which the contaminants were      4 found, they, in that entirety of that time frame, they      5 essentially paid for something they should not have.</p> <p>6 Q. Can you identify any TPP anywhere in the United      7 States that sought a refund from a manufacturer as a result      8 of a beneficiary consuming a VCD that contained a      9 nitrosamine?</p> <p>10 A. That's not within the scope of my report or      11 opinion I've been asked to render.</p> <p>12 Q. Can you identify any such TPP or PBM anywhere in      13 the country who sought a refund because a patient consumed      14 a VCD that had the presence of nitrosamine?</p> <p>15 A. What do you mean by a refund?</p> <p>16 Q. Said that they paid for a VCD for one of their      17 beneficiaries and should not have because it contained      18 nitrosamine?</p> <p>19 MR. HANSEL: Objection. Calls for a legal      20 conclusion.</p> <p>21 A. I'll go back and say that TPPs paid for a drug      22 that was placed on the formulary because it had sufficed      23 the criteria for approval as set forth by the FDA, and, as      24 such, paid for the claims for those drugs where they should      25 not have.</p>
<p style="text-align: right;">Page 163</p> <p>1 the TPP did not pay for any of the VCDs at that point?</p> <p>2 Strike that.</p> <p>3 Because the NDC for the BDC was blocked, did that      4 mean that the TPP did not pay for a prescription for that      5 patient?</p> <p>6 A. I cannot speculate and that was not within the      7 scope of this report or the opinion that I'm rendering here      8 today. I do know that the TPPs paid for contaminated      9 products where they should not have because they were not      10 safe and effective.</p> <p>11 At -- after the FDA issued the recall, there had      12 to be a careful, thoughtful strategy, there was guidance,      13 and so I can't say with certainty that they didn't continue      14 to pay for those claims.</p> <p>15 Q. Well, based on your industry expertise, can you      16 identify any TPP who, in fact, paid for a VCD that had the      17 presence of nitrosamine?</p> <p>18 MR. HANSEL: Object to the form. Beyond the      19 scope of the report. Asked and answered.</p> <p>20 BY MR. GISLESON:</p> <p>21 Q. You can answer.</p> <p>22 A. As part of my day-to-day responsibilities, I      23 review claims data that consists of medications and --      24 including possibly these medications with the contaminants.</p> <p>25 Q. Can you identify by name any TPP that paid for a</p>	<p style="text-align: right;">Page 165</p> <p>1 BY MR. GISLESON:</p> <p>2 Q. Well, you say they shouldn't have, but my      3 question is are you aware of any TPP anywhere in the United      4 States that sought to be reimbursed from a manufacturer      5 because the manufacturer's VCD contained nitrosamine?</p> <p>6 MR. HANSEL: Objection: Calls for a legal      7 conclusion.</p> <p>8 A. It is my understanding that TPPs are -- were,      9 from the economic standpoint, negatively affected by      10 these -- payment of these drugs.</p> <p>11 BY MR. GISLESON:</p> <p>12 Q. Understanding. How?</p> <p>13 A. They paid for the drugs during the time period      14 for which they should not have because they were      15 contaminated. That information is found within claims      16 data.</p> <p>17 Q. Can you identify a single TPP that sought a      18 refund prior to this lawsuit being filed because it paid      19 for a VCD consumed by a beneficiary that contained      20 nitrosamine? And if you can't, that's fine. I'm just      21 asking based on your industry experience and contacts if      22 you're aware of any TPP that sought a refund.</p> <p>23 A. I believe that information is within the      24 complaint.</p> <p>25 Q. And that's the only basis for that information</p>

<p style="text-align: right;">Page 166</p> <p>1 that you have? None from your own personal experience?</p> <p>2 A. That is correct.</p> <p>3 Q. Now, you said that once the recall was announced,</p> <p>4 it was necessary for TPPs to manage how to respond to the</p> <p>5 recall; is that right?</p> <p>6 A. They needed to understand the recall and then</p> <p>7 determine a strategy.</p> <p>8 Q. Did you have an understanding as to what the</p> <p>9 strategies were that were implemented by TPPs as a result</p> <p>10 of the recall?</p> <p>11 A. Based on FDA guidance.</p> <p>12 Q. What do you mean?</p> <p>13 A. The recommendations that FDA made as a response</p> <p>14 to the recall and the concern about the safety of the drug</p> <p>15 and how to handle that.</p> <p>16 Q. Did you become aware that the FDA issued</p> <p>17 acceptable intake levels?</p> <p>18 MR. HANSEL: Objection. Beyond the scope.</p> <p>19 Object to the form.</p> <p>20 BY MR. GISLESON:</p> <p>21 Q. You can answer.</p> <p>22 A. The FDA commented that the recall was attributed</p> <p>23 to unacceptable levels of a probable human carcinogen</p> <p>24 within the medication.</p> <p>25 Q. In your experience, did the third-party payors</p>	<p style="text-align: right;">Page 168</p> <p>1 A. No.</p> <p>2 Q. So following the recall, is it more than --</p> <p>3 strike that.</p> <p>4 Is it more than five TPPs with whom you've had</p> <p>5 contact since the recall of -- of VCDs?</p> <p>6 A. Again, my clients can include TPPs, self-insured</p> <p>7 employer groups. So I've been in contact -- I was in</p> <p>8 contact with all of them. I think the number is</p> <p>9 irrelevant.</p> <p>10 Q. In your experience, you certainly advise all</p> <p>11 those different clients that there were acceptable intake</p> <p>12 levels for VCDs containing nitrosamines, right?</p> <p>13 MR. HANSEL: Object to the form.</p> <p>14 A. I advised the clients what the FDA set forth in</p> <p>15 terms of the recall, the strategy, their recommendation,</p> <p>16 and guidance.</p> <p>17 BY MR. GISLESON:</p> <p>18 Q. So understood then that for VCDs that</p> <p>19 contained nitrosamines within the acceptable intake level,</p> <p>20 that patients could continue to consume those VCDs,</p> <p>21 correct?</p> <p>22 MR. HANSEL: Object to the form.</p> <p>23 A. Those -- that drug is taken for cardiovascular</p> <p>24 issues, hypertension. A very serious health condition, one</p> <p>25 for which a patient has to be closely followed, monitored</p>
<p style="text-align: right;">Page 167</p> <p>1 and the PBMs become aware that there were acceptable intake</p> <p>2 levels of nitrosamine impurities in Valsartan and</p> <p>3 Valsartan-containing drugs?</p> <p>4 MR. HANSEL: Object to the form. Foundation.</p> <p>5 Object to the foundation.</p> <p>6 A. Are you --</p> <p>7 BY MR. GISLESON:</p> <p>8 Q. Let me start over.</p> <p>9 You communicate with TPPs, right?</p> <p>10 A. Yes.</p> <p>11 Q. And on and after the recall of</p> <p>12 Valsartan-containing drugs, you communicated with TPPs; is</p> <p>13 that correct?</p> <p>14 A. Yes.</p> <p>15 Q. Approximately how many different TPPs have you</p> <p>16 communicated with following the recall of the -- of the</p> <p>17 VCDs?</p> <p>18 A. Not sure.</p> <p>19 Q. Can you approximate in any way?</p> <p>20 A. I do not wish to do that.</p> <p>21 Q. Being conservative, is it more than a hundred?</p> <p>22 A. No.</p> <p>23 Q. Is it more than fifty?</p> <p>24 A. No.</p> <p>25 Q. Is it more than ten?</p>	<p style="text-align: right;">Page 169</p> <p>1 by their prescriber, and it is never advisable to abruptly</p> <p>2 stop a medication like that because of the critical nature</p> <p>3 for which it's used.</p> <p>4 How to carefully mitigate the recall and the</p> <p>5 issues surrounding the recall at the time were of --</p> <p>6 paramount of importance to my clients, and that's what I</p> <p>7 did.</p> <p>8 BY MR. GISLESON:</p> <p>9 Q. So what you're saying is that TPPs wanted to</p> <p>10 ensure the health and safety of their beneficiaries who</p> <p>11 needed to take VCDs, right?</p> <p>12 MR. HANSEL: Objection. Mr. Gisleson, I'm going</p> <p>13 to cut off this line of questioning.</p> <p>14 I object to the form. It is outside the scope of</p> <p>15 her report. You have asked about this issue 12</p> <p>16 different ways. The witness has attempted to be</p> <p>17 cooperative, even though testifying that it is outside</p> <p>18 the scope of her report.</p> <p>19 The report does not get into this. You're asking</p> <p>20 about her professional activities for a company that</p> <p>21 is not the expert in this case. Dr. Panagos is</p> <p>22 appearing individually, not on behalf of her employer</p> <p>23 for whom she did that work. The work is also</p> <p>24 confidential. So we're going to need to move on to</p> <p>25 another topic.</p>

<p style="text-align: right;">Page 170</p> <p>1 BY MR. GISLESON:</p> <p>2 Q. You said that the manufacturer warranty for these</p> <p>3 VCDs was false. TPPs unjustly paid for medications for</p> <p>4 which they should not have paid. Based on your serving as</p> <p>5 an expert in this case, are you aware that there were TPPs</p> <p>6 who paid for medications containing nitrosamines because</p> <p>7 the patients needed those medications for health reasons?</p> <p>8 A. I understand that there -- in the strategy, that</p> <p>9 some strategies that took place were advising patients</p> <p>10 never to abruptly stop their medication and to consult with</p> <p>11 their prescriber as to a suitable transition.</p> <p>12 Q. Did different patients have different transition</p> <p>13 periods?</p> <p>14 MR. HANSEL: Excuse me. Mr. Gisleson, I have</p> <p>15 really tried to accommodate your questioning. I know</p> <p>16 you're trying to tie it to the report. Asking about</p> <p>17 patients of her clients now is unacceptable.</p> <p>18 MR. GISLESON: I'm not asking about her client's</p> <p>19 patients.</p> <p>20 MR. HANSEL: Well, I'm going to instruct the</p> <p>21 witness not to answer any questions about the patients</p> <p>22 of her clients of ARMSRx, which is not the testifying</p> <p>23 entity here.</p> <p>24 Do not answer any questions about patients of</p> <p>25 ARMSRx clients.</p>	<p style="text-align: right;">Page 172</p> <p>1 bioequivalent drug products.</p> <p>2 BY MR. GISLESON:</p> <p>3 Q. You looked at that definition before preparing</p> <p>4 your report?</p> <p>5 MR. HANSEL: Object to the form. It's in the</p> <p>6 report.</p> <p>7 A. I'm not --</p> <p>8 BY MR. GISLESON:</p> <p>9 Q. Did you ever have occasion before being retained</p> <p>10 as an expert in this case to look at the FDA definition of</p> <p>11 bioequivalence?</p> <p>12 A. It's part of the scope of my profession.</p> <p>13 Q. Pardon me?</p> <p>14 A. It's within the scope of my profession as a</p> <p>15 pharmacist that bioequivalent is within that knowledge</p> <p>16 base.</p> <p>17 Q. Right. But did you read the FDA definition of</p> <p>18 bioequivalence at any point before you became retained as</p> <p>19 an expert in this lawsuit?</p> <p>20 A. Possibly. I read many, many data, information,</p> <p>21 articles, studies, part of what I do day-to-day. I mean.</p> <p>22 Q. Do you have any personal experience with the</p> <p>23 manufacturing of pharmaceutical products?</p> <p>24 A. No.</p> <p>25 Q. You said in your report at Paragraph 46 TPPs and</p>
<p style="text-align: right;">Page 171</p> <p>1 BY MR. GISLESON:</p> <p>2 Q. Well, Doctor, do you know anything about TPPs and</p> <p>3 how they managed for the recall who are not your clients?</p> <p>4 A. In general TPPs were managing the recall in a --</p> <p>5 in a way that would allow access. As I said before, we --</p> <p>6 not -- access, ensuring that patients can have time frame</p> <p>7 to transition to a non-contaminated product.</p> <p>8 Q. Over what time period did that transition occur,</p> <p>9 to your knowledge?</p> <p>10 A. That's not within the scope of my report and</p> <p>11 that -- that's very patient specific information on how and</p> <p>12 when a patient consults with their prescriber and</p> <p>13 pharmacist in their individual case on how to transition to</p> <p>14 a non-contaminated FDA approved product.</p> <p>15 Q. Do you know what the FDA definition of</p> <p>16 bioequivalence is?</p> <p>17 MR. HANSEL: Objection. Asked and answered.</p> <p>18 This was gone over in great detail by Attorney Isidro.</p> <p>19 MR. GISLESON: I don't think we got a clear</p> <p>20 answer to it.</p> <p>21 BY MR. GISLESON:</p> <p>22 Q. Do you know what the FDA definition is of</p> <p>23 bioequivalence?</p> <p>24 MR. HANSEL: Object to the form.</p> <p>25 A. Page 6, Section E under 33 has the definition for</p>	<p style="text-align: right;">Page 173</p> <p>1 P&amp;T committees expressly rely upon the manufacturers</p> <p>2 compliance with all applicable standards, obligations, and</p> <p>3 regulations. What actions, in your experience, do TPPs</p> <p>4 take to determine whether manufacturer's complied with</p> <p>5 applicable standards, obligations, and regulations?</p> <p>6 A. They reference the Orange Book, that if a drug is</p> <p>7 listed in the Orange Book, it means that it has been</p> <p>8 assigned FDA approval, been given FDA approval, which means</p> <p>9 that they had sufficed -- fulfilled the requirements of the</p> <p>10 ANDA, which includes that their drug is safe and effective.</p> <p>11 Q. Anything else?</p> <p>12 A. If we're referring to generic drugs, this is the</p> <p>13 authoritative source.</p> <p>14 Q. When did TPPs begin to implement a block on VCDs</p> <p>15 based on the recall?</p> <p>16 MR. HANSEL: Objection. This is beyond the scope</p> <p>17 of her report. I permitted some questions about this.</p> <p>18 I believe you've beaten that horse pretty thoroughly.</p> <p>19 It's not part of her report, she's not being proffered</p> <p>20 as an expert on that issue, and I would just ask you</p> <p>21 to please move on.</p> <p>22 MR. GISLESON: No. I haven't beaten this horse.</p> <p>23 I'm still riding it and it's still healthy and in good</p> <p>24 shape. This goes directly to her opinion that TPPs</p> <p>25 unjustly paid for medications which they should not</p>

<p style="text-align: right;">Page 174</p> <p>1 have paid; if there was a block, they didn't pay.</p> <p>2 BY MR. GISLESON:</p> <p>3 Q. So do you have an understanding as to what period</p> <p>4 of time TPPs implemented blocks concerning VCDs that were</p> <p>5 found to have the presence of nitrosamines?</p> <p>6 MR. HANSEL: Object to the form.</p> <p>7 A. The strategy that TPPs put in place following the</p> <p>8 recall is not a universal strategy across all TPPs and how</p> <p>9 they did that and when they did that is very much within</p> <p>10 that entity and was -- is not within the scope of my</p> <p>11 report, nor what -- what I was asked to render an opinion</p> <p>12 on.</p> <p>13 What I do attest to is that TPPs paid for the</p> <p>14 drugs that were contaminated, would not have been FDA</p> <p>15 approved with the contaminant because they would not have</p> <p>16 been the same as the referenced labeled drug. So it's</p> <p>17 really as simple as that.</p> <p>18 BY MR. GISLESON:</p> <p>19 Q. If someone wants to know what strategy a</p> <p>20 particular TPP followed in response to the recall of VCDs,</p> <p>21 it's necessary to ask that TPP?</p> <p>22 MR. HANSEL: Object to the form. Again, this is</p> <p>23 outside the scope of her report.</p> <p>24 BY MR. GISLESON:</p> <p>25 Q. You can answer.</p>	<p style="text-align: right;">Page 176</p> <p>1 Federal Regulations, correct?</p> <p>2 MR. HANSEL: Object to the form.</p> <p>3 A. The FDA, yes, does have a definition for</p> <p>4 bioequivalence.</p> <p>5 BY MR. GEOPPINGER:</p> <p>6 Q. And the FDA's definition is found in the code of</p> <p>7 federal regulations, correct?</p> <p>8 A. Could you be more specific when you say federal</p> <p>9 regulations?</p> <p>10 Q. The Code of Federal Regulations 21CFR of the FDA</p> <p>11 promulgates its regulations.</p> <p>12 A. I did not review.</p> <p>13 Q. Are you aware that the definition of</p> <p>14 bioequivalence is contained -- the FDA's definition is</p> <p>15 contained within the Code of Federal Regulations?</p> <p>16 A. That was not within the scope of my report and I</p> <p>17 did not review that document, but it's my understanding</p> <p>18 though that it should be there but I did not review it. I</p> <p>19 cannot speculate.</p> <p>20 Q. You did not review that definition prior to</p> <p>21 preparing your report, correct?</p> <p>22 A. No. I reviewed the definition. I did not -- if</p> <p>23 you're referring to a particular document that's not</p> <p>24 consistent in my report, that's what I'm referring to.</p> <p>25 Q. I'm sorry, I don't understand the answer.</p>
<p style="text-align: right;">Page 175</p> <p>1 A. I don't know that that would be public</p> <p>2 information, but if you were a member or a -- engaged with</p> <p>3 a TPP, I would -- that information would be available to</p> <p>4 you.</p> <p>5 Q. Are you aware of any public documents that</p> <p>6 identify the different strategies that TPPs took in</p> <p>7 response to the VCD recall?</p> <p>8 A. Public information?</p> <p>9 Q. Yes.</p> <p>10 A. No. The FDA offered guidance on the recall.</p> <p>11 That was public information.</p> <p>12 MR. GISLESON: Those are the questions I have.</p> <p>13 Thank you very much for your time.</p> <p>14 THE WITNESS: You're welcome.</p> <p>15 MR. KERNER: Any other Defendants on the Zoom?</p> <p>16 MR. GEOPPINGER: Yes. Yes. I just have a couple</p> <p>17 brief follow-up questions. I just want to clarify</p> <p>18 something for the record.</p> <p>19 REDIRECT EXAMINATION</p> <p>20 BY MR. GEOPPINGER:</p> <p>21 Q. Good afternoon, Doctor. I know it's getting</p> <p>22 late, so I'll be brief. My name's Jeff Geoppinger. I</p> <p>23 represent AmeriSourceBergen.</p> <p>24 Doctor, you would agree with me that the</p> <p>25 definition of bioequivalent can be found in the Code of</p>	<p style="text-align: right;">Page 177</p> <p>1 MR. HANSEL: Do you have a document you can show</p> <p>2 the witness to ask her if she reviewed it?</p> <p>3 MR. GEOPPINGER: No.</p> <p>4 BY MR. GEOPPINGER:</p> <p>5 Q. My question is, Doctor, in a -- in the -- in the</p> <p>6 process of preparing your report, did you review the</p> <p>7 definition of bioequivalent contained within the Code of</p> <p>8 Federal Regulations?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. On -- in -- a moment ago you referenced</p> <p>11 Paragraph 33 of your report when asked about that</p> <p>12 definition.</p> <p>13 A. Uh-huh.</p> <p>14 Q. Would you agree with me, Doctor, that the</p> <p>15 language in Paragraph 33 of your report is not the</p> <p>16 definition of bioequivalence from the Code of Federal</p> <p>17 Regulations?</p> <p>18 A. No, I don't agree with you.</p> <p>19 Q. Is it your testimony that the language in</p> <p>20 Paragraph 33 of your report is the definition of</p> <p>21 bioequivalence from the Code of Federal Regulations?</p> <p>22 A. To my knowledge.</p> <p>23 Q. Okay. When using the term bioequivalence in your</p> <p>24 report, did you intend to use it as it is defined by the</p> <p>25 FDA in the Code of Federal Regulations?</p>

<p style="text-align: right;">Page 178</p> <p>1       MR. HANSEL: Object to the form. Calls for a      2       legal conclusion. Beyond the scope.</p> <p>3       A. I believe my definition in my report captures      4       what a bioequivalent drug product -- captures the      5       definition appropriately.</p> <p>6       BY MR. GEOPPINGER:</p> <p>7       Q. I will agree that Paragraph 33 of your report      8       cites a therapeutic equivalence code from the Orange Book      9       for bioequivalent drug products. My question is about the      10      term bioequivalence as used in the CFR.</p> <p>11       When you used the term bioequivalence in your      12      report, are you using it as defined in the Code of Federal      13      Regulations?</p> <p>14       MR. HANSEL: I -- I object. It has -- there's no      15      foundation.</p> <p>16       A. Since I'm unclear of your question, I prefer not      17      to answer.</p> <p>18       BY MR. GEOPPINGER:</p> <p>19       Q. I'll try to answer -- ask it again and make it      20      more clear. When you used the word bioequivalence in your      21      report, did you -- are you using it as it is defined by the      22      Code of Federal Regulations?</p> <p>23       MR. HANSEL: I -- I object. Mr. Geoppinger, are      24      you asking the witness to assume that the word      25      bioequivalent is only defined one time in the entire</p>	<p style="text-align: right;">Page 180</p> <p>1       question is pending.</p> <p>2       MR. MESTRE: I just want to know the time, so we      3       don't go over.</p> <p>4       MR. GEOPPINGER: I'm sorry. I'm in the middle of      5       my questions. Why do we need a time check?</p> <p>6       MR. HANSEL: Well, not if the time's almost up.</p> <p>7       MR. MESTRE: I just don't know.</p> <p>8       MR. KERNER: Until she answers the questions      9       rather than interrupting him in the middle of his      10      examination.</p> <p>11       MR. GEOPPINGER: Excuse me. I have a question      12      pending. Is we -- are we still on the record?</p> <p>13       MS. ISIDRO: We are.</p> <p>14       MR. KERNER: Yes, we are.</p> <p>15       MR. GEOPPINGER: Okay. Thank you.</p> <p>16       BY MR. GEOPPINGER:</p> <p>17       Q. Doctor, my -- my question -- I just want to      18      clarify because I think we're missing each other here.</p> <p>19       My question is about the term bioequivalence, not      20      the term bioequivalent drug products.</p> <p>21       MR. HANSEL: Excuse me, did you say bioequivalent      22      with a T or bioequivalence with a C-E?</p> <p>23       MR. GEOPPINGER: I'm talking about the word used      24      on -- in Paragraph 59, the last word of that      25      paragraph: B-I-O-E-Q-U-I-V-A-L-E-N-C-E,</p>
<p style="text-align: right;">Page 179</p> <p>1       Code of Federal Regulations?</p> <p>2       MR. GEOPPINGER: I'm not asking her to assume. I      3       think she already testified that she's aware that the      4       word is defined in the -- by the FDA in the Code of      5       Federal Regulations.</p> <p>6       A. I believe my definition captures what a bio- --      7       is accurate as to what a bioequivalent drug product is.</p> <p>8       If you're asking if I've memorized the Federal      9       Regulation's definition for bioequivalence word for word,      10      that was -- that's -- I don't have that memorized word for      11      word but I'm confident that my definition here captures the      12      appropriate definition for bioequivalent drug product.</p> <p>13       BY MR. GEOPPINGER:</p> <p>14       Q. I'm not asking, Doctor, I'm not asking you if      15      you've memorized it and I'm not asking about the -- the      16      term bioequivalent drug products. That's not what I'm      17      asking about.</p> <p>18       I'm asking about the word bioequivalence.</p> <p>19       MR. MESTRE: Can we get an update on the time,      20      please?</p> <p>21       BY MR. GEOPPINGER:</p> <p>22       Q. Doctor, when you use the --</p> <p>23       MR. HANSEL: Just a minute, Mr. Geoppinger.</p> <p>24       We're just doing a time check here.</p> <p>25       MR. KERNER: You're also doing it while the</p>	<p style="text-align: right;">Page 181</p> <p>1       bioequivalence.</p> <p>2       BY MR. GEOPPINGER:</p> <p>3       Q. When you use that word, Doctor, in Paragraph 59,      4       are you using it in the sense that it is defined in the --      5       in the Code of Federal Regulations?</p> <p>6       MR. HANSEL: Object to the form. Foundation.      7       You have not told her how it's defined in the Code of      8       Federal Regulations. You have not shown her the      9       purported definition in the vast Code of Federal      10      Regulations to which you are alluding.</p> <p>11       I object to the form of the question.</p> <p>12       MR. GEOPPINGER: Counsel, I -- she's already      13      testified she -- she's aware of the definition in the      14      Code of Federal Regulations. Additionally --</p> <p>15       MR. HANSEL: Well, you have represented that the      16      definition that she used from the FDA Orange Book of      17      bioequivalent drug products is not in the Code of      18      Federal Regulations. There's no foundation here.</p> <p>19       But please go ahead and answer, if you can.</p> <p>20       THE WITNESS: Okay.</p> <p>21       MR. KERNER: Now that you're done coaching the      22      witness.</p> <p>23       MR. GEOPPINGER: Yeah. Counsel, there's a      24      deposition protocol, Counsel, and the Plaintiffs in      25      this case have taken great issue with speaking</p>

<p style="text-align: right;">Page 182</p> <p>1       objections. So I caution you that you should probably      2       review that protocol and understand what the scope of      3       your objections can be because that was way outside of      4       the protocol here.</p> <p>5       MR. HANSEL: I'm glad you brought that up. Part      6       of the --</p> <p>7       MR. KERNER: Why don't we let her answer this      8       question?</p> <p>9       MR. HANSEL: Part of the guidelines in this court      10      are that follow-up questions such as yours,      11      Mr. Geoppinger, are limited to questions not covered      12      earlier or questions specific to a Defendant.      13      Attorney Isidro covered bioequivalence extensively in      14      her -- her examination and so I don't believe your      15      questioning is within the permitted scope.</p> <p>16      So please, please wrap it up.</p> <p>17    BY MR. GEOPPINGER:</p> <p>18      Q. Doctor, I'll ask the question hopefully for the      19      last time.</p> <p>20      A. Okay.</p> <p>21      Q. When you use the word bioequivalence as it is      22      written in -- as the last word of Paragraph 59 of your      23      report, are you using that word as it is defined in the      24      Code of Federal Regulations?</p> <p>25      A. I am using that word in the context of sameness,</p>	<p style="text-align: right;">Page 184</p> <p>1       MR. HANSEL: Object to the form.      2       A. As it pertains to Number 59 which you      3       specifically asked me about, I have answered your question.</p> <p>4       MR. GEOPPINGER: Thank you, Doctor. I don't have      5       any more questions.</p> <p>6       MR. KERNER: Any other Defendants on the -- the      7       Zoom have questions?</p> <p>8       MR. HANSEL: Hearing none, it's -- do the      9       Defendants have any further questions?</p> <p>10      MS. ISIDRO: I have just a couple more questions.</p> <p>11                          RECROSS-EXAMINATION</p> <p>12    BY MS. ISIDRO:</p> <p>13      Q. Without identifying any names, are any of the      14      TPPs who are involved in this litigation current clients of      15      yours?</p> <p>16      A. No.</p> <p>17      Q. Without identifying any names, are any of the      18      TPPs involved in this litigation former clients of yours?</p> <p>19      A. No.</p> <p>20      Q. And have you ever worked for any of the entities      21      who are Defendants in this litigation?</p> <p>22      A. No.</p> <p>23      MS. ISIDRO: Any questions?</p> <p>24      MR. HANSEL: Yes. Yes, I do. Are you finished?</p> <p>25      MS. ISIDRO: For the moment, yes. I may have</p>
<p style="text-align: right;">Page 183</p> <p>1       that the generic drug was the same as the reference listed      2       drug product for safety and effectiveness.</p> <p>3       MR. MESTRE: So hold on. This should not be      4       controversial now. There's no pending question. It's      5       5:30 in the afternoon. I'd like to know the amount of      6       time that's left.</p> <p>7       THE COURT REPORTER: Five hours seven minutes.</p> <p>8       MR. MESTRE: Thank you.</p> <p>9    BY MR. GEOPPINGER:</p> <p>10      Q. Doctor, that's your definition of bioequivalence?</p> <p>11      A. You asked me how I used it in the context of the      12      sentence in Number 59 where it says the presence of the      13      contaminant rendered the Manufacturer Defendants' versions      14      of VCDs not equivalent to the branded product as indicated      15      in the Orange Book which serves as the source of truth for      16      bioequivalence and permits substitutability of the generic      17      drug when it meets those -- that criteria.</p> <p>18      The drug did -- that we're -- so it did not meet      19      the criteria by presence of the contaminants, was not the      20      same as the branded drug, would not have met FDA approval      21      for bioequivalence, and not the same as the referenced      22      listed product, would not have been listed in the Orange      23      Book.</p> <p>24      Q. Doctor, have you now told me how you've defined      25      bioequivalence in your report?</p>	<p style="text-align: right;">Page 185</p> <p>1       some follow-up after you.</p> <p>2       MR. HANSEL: Okay. Thank you.</p> <p>3                          FURTHER DIRECT EXAMINATION</p> <p>4    BY MR. HANSEL:</p> <p>5       Q. Dr. Panagos, thank you for your patience on a      6       long day. I have a few questions for you on behalf of the      7       Plaintiffs.</p> <p>8       You may recall that Mr. Gisleson asked you some      9       questions regarding whether you were aware of any      10      third-party payors in particular who -- who paid for      11      contaminated Valsartan and who were seeking a refund.      12      Before he asked you about that after the lawsuit was filed,      13      he asked you about it in general.</p> <p>14      Are you aware that Plaintiffs Maine Automobile      15      Dealers Association Insurance Trust and MSP Recovery Series      16      allege in the complaint that they or their assignors in the      17      case of MSP paid for contaminated Valsartan?</p> <p>18      MS. ISIDRO: Objection.</p> <p>19      A. Yes. That's within the complaint.</p> <p>20    BY MR. HANSEL:</p> <p>21      Q. And in your report in Appendix A you list various      22      materials you reviewed for your report, right?</p> <p>23      A. Yes.</p> <p>24      Q. And among those materials are four categories of      25      materials that contain data showing payments by MADA and</p>

Page 186	Page 188
<p>1 MSP and those are the MADA Third Party Payor Plaintiff's      2 Fact Sheet, the MSP Third Party Payor Plaintiff's Facts      3 Sheet --      4 MS. ISIDRO: Objection.      5 BY MR. HANSEL:      6 Q. -- the --      7 MR. KERNER: Objection. Leading.      8 MR. HANSEL: I'm not finished.      9 BY MR. HANSEL:      10 Q. -- the MADA claims data for recalled Valsartan,      11 and excerpts from MSP data July 6th, 2021.      12 Did you -- did you review that data?      13 MS. ISIDRO: Objection.      14 A. Yes.      15 BY MR. HANSEL:      16 Q. Is that the type of data that you ordinarily      17 review in the course of your professional career?      18 A. Yes, it is.      19 MR. KERNER: Hang on a second. There seems to be      20 a bit of echo in the room now. If somebody who is on      21 the Zoom could mute themselves, that would be helpful.      22 BY MR. HANSEL:      23 Q. Did that data show in the case of MADA that --      24 that it paid for contaminated lots of Valsartan that were      25 subject to the contamination alleged in the complaint?</p>	<p>1 A. Yes.      2 BY MR. HANSEL:      3 Q. Do you understand that the proposed third-party      4 payor class consists of third-party payors as defined in      5 Paragraph 14 of your report?      6 A. Yes.      7 Q. Specifically all third-party payors in the United      8 States and its territories and possessions that, since at      9 least January 1, 2012, to the present, paid any amount of      10 money for Valsartan-containing drug, intended for personal      11 or household use, that was manufactured, distributed, or      12 sold by any Active Pharmaceutical Ingredient, Finished      13 Dose, Wholesaler, or Repackager/Relabeler Defendant.      14 MS. ISIDRO: Objection.      15 BY MR. HANSEL:      16 Q. Is that your understanding?      17 A. Yes.      18 Q. Do you understand that the proposed class so      19 defined is in effect, at least in part, suing for a refund,      20 the word used by Attorney Gisleson, suing for a refund, at      21 least in part in this lawsuit?      22 A. Yes.      23 Q. Today you've heard a lot of questions and      24 objections about whether certain topics were within the      25 scope of your report. Do you remember that?</p>
Page 187	Page 189
<p>1 ZOOM PARTICIPANT: Objection: Foundation.      2 A. The data showed that the claims -- there were      3 paid claims.      4 BY MR. HANSEL:      5 Q. And did the -- did the MSP data show paid claims      6 of MSP's assignors?      7 A. Yes.      8 Q. Do you understand that MSP's assignors are      9 third-party payors?      10 A. Yes.      11 Q. Do you understand that MSP is an -- is an      12 assignee of third-party payors for Valsartan?      13 A. Yes, I do.      14 Q. Do you understand that MSP is suing in its      15 capacity as a holder of valid assignments of those -- of      16 the claims of its assignors?      17 MS. ISIDRO: Objection.      18 ZOOM PARTICIPANT: Objection. Legal conclusion      19 and leading.      20 A. Yes.      21 BY MR. HANSEL:      22 Q. And do you understand that MSP alleges in the      23 complaint that it stands in the shoes in effect of its      24 assignor TPPs?      25 MS. ISIDRO: Objection.</p>	<p>1 A. Yes.      2 Q. Does your report set forth the scope of your      3 report accurately?      4 A. Yes.      5 MS. ISIDRO: Objection.      6 MR. HANSEL: Let me take a short break and see if      7 I have any more questions.      8 MR. KERNER: How long --      9 MR. HANSEL: Under five minutes.      10 THE VIDEOGRAPHER: The time is 5:33, and we're      11 going off record.      12 (Break taken.)      13 THE VIDEOGRAPHER: The time is 5:38 p.m., and      14 we're back on record.      15 MR. HANSEL: No further questions.      16 Thank you, Dr. Panagos.      17 THE WITNESS: You're welcome.      18 MR. KERNER: Anybody else on the phone?      19 MR. GISLESON: Yeah. Just a brief follow-up.      20 This is John Gisleson again for Aurobindo.      21 FURTHER CROSS-EXAMINATION      22 BY MR. GISLESON:      23 Q. You were asked about the MADA, M-A-D-A, claims      24 data. Do you have any understanding as to how MADA managed      25 its beneficiaries' prescriptions following the VCD recall?</p>

<p style="text-align: right;">Page 190</p> <p>1       A. The claims data demonstrates -- shows claims that      2 were paid for.</p> <p>3       Q. Do you know what strategy MADA followed in      4 response to the VCD recall?</p> <p>5       A. That was not within the scope of my review.</p> <p>6       Q. Did you do any investigation to determine how      7 MADA managed its patients, its beneficiaries' prescriptions      8 following the VCD recall in connection with your review of      9 the claims data?</p> <p>10      A. I reviewed the claims data which showed that the      11 claims were paid for. That's it.</p> <p>12      Q. Did you seek to learn how MADA managed the recall      13 of VCDs?</p> <p>14      A. That's not within the scope of my -- of the      15 opinion I was asked to render.</p> <p>16      Q. So you didn't do it?</p> <p>17      A. I do not wish to comment or speculate on the      18 strategy that they took. I reviewed the claims data which      19 showed that they paid for claims for those drugs.</p> <p>20      Q. Do you know whether MADA at any point implemented      21 a block concerning NDCs or VCDs that contained nitrosamine      22 impurities?</p> <p>23      A. I do not know.</p> <p>24      Q. Pardon me?</p> <p>25      A. I do not know.</p>	<p style="text-align: right;">Page 192</p> <p>1       paid for.</p> <p>2       Q. Did you do any investigation to determine whether      3 any of MSP's assignors, assignor TPPs, implemented blocks      4 at any point concerning VCDs containing nitrosamine      5 impurities?</p> <p>6       MR. HANSEL: Asked and answered.</p> <p>7       A. I was not asked to review their strategies. I      8 reviewed the claims data.</p> <p>9       BY MR. GISLESON:</p> <p>10      Q. And as a result, you have no knowledge as to what      11 those strategies were, correct?</p> <p>12      MR. HANSEL: Objection.</p> <p>13      A. That was not --</p> <p>14      MR. HANSEL: Asked and answered. Object to the      15 form. Repetitive.</p> <p>16      MR. GISLESON: I'm just looking for a direct      17 answer to a clear question.</p> <p>18      MR. HANSEL: Your question assumes that whatever      19 payment data she already told you she reviewed can be      20 completely divorced from whatever their strategy is,      21 since you brought it up.</p> <p>22      BY MR. GISLESON:</p> <p>23      Q. You can answer the question.</p> <p>24      A. If and when they had a strategy, I was not a      25 participant or have knowledge of what that was. I have</p>
<p style="text-align: right;">Page 191</p> <p>1       Q. And as to MSP's assignors, do you know whether --      2 strike that.</p> <p>3       Did you do any investigation to determine how any      4 of MSP's assignors managed the VCD recall -- recalls      5 following the identification of nitrosamine impurities?</p> <p>6       A. That was not within the scope of my report. I      7 reviewed the claims data that -- that showed that they paid      8 for the claims.</p> <p>9       Q. So as a result of the work that you did in this      10 case, you have no understanding as to how MSP's assignors      11 managed the VCD recall following the discovery of      12 nitrosamine impurities, correct?</p> <p>13      MR. HANSEL: Object to the form. Outside the      14 scope. Asked and answered.</p> <p>15      MR. GISLESON: It hasn't been answered.</p> <p>16      BY MR. GISLESON:</p> <p>17      Q. You can answer the question, please.</p> <p>18      MR. HANSEL: Same objection.</p> <p>19      A. They were assigned claims data. I did not review      20 any further assignments or agreements.</p> <p>21      BY MR. GISLESON:</p> <p>22      Q. Including any strategies that any of those      23 assignors followed to manage the recalls, correct?</p> <p>24      A. That was not in the scope of my review. I      25 reviewed the claims data that shows that those claims were</p>	<p style="text-align: right;">Page 193</p> <p>1       reviewed the claims data that shows that the claims were      2 paid for.</p> <p>3       Q. Any other information than claims data?</p> <p>4       MR. HANSEL: Objection. Asked and answered.</p> <p>5       A. Could you be more specific?</p> <p>6       BY MR. GISLESON:</p> <p>7       Q. Sure. What was the information in the claims      8 data that was important to you?</p> <p>9       A. Claims data demonstrated that the plan paid a      10 portion of the medication and the member paid a portion.</p> <p>11      Q. Anything else?</p> <p>12      A. Indicating that that was re- -- medication was      13 reimbursed or plan paid for.</p> <p>14      Q. Anything else?</p> <p>15      MR. HANSEL: Object to the form.</p> <p>16      A. I -- the claims data followed a standard claims      17 data format, typical of what we see in the industry when      18 you're reviewing claims.</p> <p>19      BY MR. GISLESON:</p> <p>20      Q. Did the claims data identify specific      21 individual -- the names of specific individuals?</p> <p>22      A. If you're asking in general if claims data can      23 include those fields, those fields -- can you be more      24 specific as to how you're asking the question and with      25 which --</p>

<p style="text-align: right;">Page 194</p> <p>1 Q. Sure. Did the claims data that you reviewed      2 identify the names of the patients who consumed the VCDs?      3 A. Not that I recall, no.      4 Q. I'm sorry, no?      5 MR. HANSEL: Would you like the court reporter to      6 read back the answer?      7 MR. GISLESON: I couldn't hear.      8 MR. HANSEL: Would the court reporter please read      9 back the answer?      10 (The requested portion was read back.)      11 MR. GISLESON: Thank you very much.      12 Those are all the questions I have. Thank you      13 for your time and your patience.      14 THE WITNESS: All right. Thank you.      15 MR. DORNER: I have questions within the scope of      16 that.      17 FURTHER FURTHER DIRECT EXAMINATION      18 BY MR. DORNER:      19 Q. Doctor, my name is Drew Dorner. I'm here on      20 behalf of CHP.      21 The claims data that you just referred to would      22 only reflect costs associated with the transaction at the      23 time of the adjudication of the claim; is that right?      24 MR. HANSEL: Object to the form. Lack of      25 foundation.</p>	<p style="text-align: right;">Page 196</p> <p>1 records. Am I understanding that correctly?      2 A. Yes.      3 Q. Okay. Where the claims data reflect that      4 particular claim, any amount of money associated with that      5 transaction is -- it reflects only money exchanged at the      6 time of that transaction, right?      7 A. It reflects the plan paid and any member paid      8 amounts at the date of service.      9 Q. Okay. I understand. And so if either prior to      10 or subsequent to the date of service some amount of money      11 was also exchanged that is related to the -- indirectly or      12 directly related to the claim, that would not be reflected      13 in the particular set of claims data that you were      14 referring to when you were talking with Mr. Gisleson; is      15 that right?      16 MR. HANSEL: I object to the form of the      17 question. Lack of foundation.      18 BY MR. DORNER:      19 Q. You can answer.      20 A. Could you be more specific when you say exchange      21 of money before or following outside of a claims data?      22 Q. Sure. And let me give an example. In -- in some      23 cases a PBM or a TPP might benefit from a rebate, for      24 example, from a drug manufacturer; is that right?      25 MR. HANSEL: Objection. Objection. This is</p>
<p style="text-align: right;">Page 195</p> <p>1 Mr. Dorner, do you have an exhibit?      2 MR. DORNER: The witness has seen the exhibits,      3 the claims data that she's referring to that she's      4 reviewed.      5 MR. HANSEL: Well, it's not an exhibit to this      6 deposition.      7 MR. DORNER: I'm not making it an exhibit. I'd      8 like an answer to my question.      9 A. I will answer generally that claims data that has      10 a plan paid amount or claims data that it's at the point of      11 adjudication.      12 BY MR. DORNER:      13 Q. Okay. And that only reflects some -- some of --      14 some amount of money that exchanges at the time of that      15 adjudication, but not, for example, any payments that might      16 be made to a TPP well before the adjudication or any      17 payments that might be made to a TPP after the      18 adjudication; is that accurate?      19 MR. HANSEL: Object to the form. Lack of      20 foundation.      21 A. I'm not sure what you're asking.      22 BY MR. DORNER:      23 Q. Sure. If a member of a TPP makes a claim for a      24 medication, it's your testimony that there is claims data      25 associated with that that would be reflected in the TPP's</p>	<p style="text-align: right;">Page 197</p> <p>1 beyond the scope of her report.      2 MR. DORNER: Hold on. This is -- no. No. We're      3 not getting into speaking objections. She asked for a      4 specific example. I'm giving her one. All right.      5 You can object to the form.      6 THE WITNESS: Okay.      7 MR. HANSEL: I object to the form. It's beyond      8 the scope of her report. It has nothing to do with      9 her report. Other experts are addressing this issue.      10 BY MR. DORNER:      11 Q. You can answer the question, ma'am.      12 A. The claims data reflects what the plan paid.      13 Q. On the date of service, right?      14 A. On the date of service.      15 Q. It would not reflect in the example that I gave      16 something like a refund; is that right?      17 MR. HANSEL: Object to the form.      18 A. Are you referring -- your question is unclear.      19 Are you referring to refund? You said rebate. I think      20 you're --      21 BY MR. DORNER:      22 Q. Yeah. I -- I -- I caught the same error. So the      23 example I gave was a rebate. I apologize. It wouldn't      24 reflect a -- a rebate subsequent to the date of      25 adjudication; is that right?</p>

Page 198	Page 200
<p>1       MR. HANSEL: Objection: Beyond the scope. 2       A. I've answered that the claims data represents 3 what the plan paid at the date of service. That amount is 4 found clearly within the claims data. 5 BY MR. DORNER: 6       Q. Well, I appreciate your answer, but I would like 7 an answer to my question. My question was: The -- a 8 subsequent rebate would not be reflected in the type of 9 claims data that you were referring to in your prior 10 testimony to Mr. Gisleson; is that accurate? 11      MR. HANSEL: Object to the form. Calls for 12 speculation, beyond the scope, asked and answered, no 13 foundation. 14 BY MR. DORNER: 15      Q. You can answer. 16      A. To the best of my knowledge, if a rebate applied 17 to these type of drugs, it would not be within the claims 18 data. 19      Q. And if there were similar payments, not 20 necessarily rebates but things like governmental subsidies 21 that might also be paid well after the date of 22 adjudication, that also wouldn't be reflected in the claims 23 data you were referring to; is that accurate? 24      MR. HANSEL: Object to the form. Lack of 25 foundation, calls for speculation, beyond the scope of</p>	<p>1                   CERTIFICATE OF OATH 2 3                   STATE OF FLORIDA 4                   COUNTY OF MIAMI-DADE 5 6                   I, CHELSEA HLAVACH, shorthand reporter and Notary 7 Public, State of Florida, certify that KALI PANAGOS, 8 PHARM.D., R.PH, appeared before me and was duly 9 sworn/affirmed Witness my hand and official seal this 21st 10 day of January, 2022. 11 12                  Witness my hand and official seal this 1st day of 13 February, 2022. 14 15 16                   17                  Chelsea Hlavach, Notary Public 18                  State of Florida, My Commission: 19                  GG352672, Expires: August 11, 2023 20 21 22 23 24 25</p>
Page 199	Page 201
<p>1       the report, asked and answered. 2       You need to wrap this up, Mr. Dorner. It has 3 nothing to do with Dr. Panagos's report. 4 BY MR. DORNER: 5       Q. You can answer. 6       A. I don't know. 7       MR. DORNER: Okay. I have no further questions. 8       MR. KERNER: Anybody else on the Zoom? 9       MR. HANSEL: Anyone else in the room? 10      MS. ISIDRO: Nothing from me, no. 11      MR. HANSEL: We will read and sign. 12      Thank you very much, Dr. Panagos, and Chelsea, 13 videographer, thanks very much, and for your 14 hospitality, Jorge, thank you. 15      THE VIDEOGRAPHER: That concludes today's 16 deposition. The time is 5:52 p.m., and we're going 17 off record. 18      (The deposition concluded at 5:52 p.m.) 19 20 21 22 23 24 25</p>	<p>1                   CERTIFICATE OF REPORTER 2 3                   STATE OF FLORIDA 4                   COUNTY OF MIAMI-DADE 5 6                   I, CHELSEA HLAVACH, Shorthand Reporter and Notary 7 Public, State of Florida, HEREBY CERTIFY that I was 8 authorized to and did stenographically report the 9 deposition of KALI PANAGOS, PHARM.D., R.PH; that a review 10 of the transcript was requested; and the foregoing 11 transcript, pages 10 through 199, inclusive, is a true and 12 accurate record of my stenographic notes. 13                  I FURTHER CERTIFY that I am not a relative, 14 employee, attorney, or counsel to any of the parties, nor 15 am I a relative or employee of any of the parties' attorney 16 or counsel connected with the action, nor am I financially 17 interested in the action. 18 19 20 21 22                   23                  Chelsea Hlavach, Notary Public, 24                  State of Florida at Large 25</p>

1 GREGORY HANSEL, ESQUIRE 2 ghansel@preti.com 3 February 4, 2022 4 RE: In Re: Valsartan, Losartan, Et Al 5 1/21/2022, Kali Panagos, Pharm.D (#5024986) 6 The above-referenced transcript is available for 7 review. 8 Within the applicable timeframe, the witness should 9 read the testimony to verify its accuracy. If there are 10 any changes, the witness should note those with the 11 reason, on the attached Errata Sheet. 12 The witness should sign the Acknowledgment of 13 Deponent and Errata and return to the deposing attorney. 14 Copies should be sent to all counsel, and to Veritext at 15 erratas-cs@veritext.com 16 17 Return completed errata within 30 days from 18 receipt of testimony. 19 If the witness fails to do so within the time 20 allotted, the transcript may be used as if signed. 21 22 Yours, 23 Veritext Legal Solutions 24 25	Page 202  1 In Re: Valsartan, Losartan, Et Al 2 Kali Panagos, Pharm.D (#5024986) 3 ACKNOWLEDGEMENT OF DEPONENT 4 I, Kali Panagos, Pharm.D, do hereby declare that I 5 have read the foregoing transcript, I have made any 6 corrections, additions, or changes I deemed necessary as 7 noted above to be appended hereto, and that the same is 8 a true, correct and complete transcript of the testimony 9 given by me. 10 11 _____ 12 Kali Panagos, Pharm.D Date 13 *If notary is required 14 SUBSCRIBED AND SWORN TO BEFORE ME THIS 15 _____ DAY OF _____, 20____. 16 17 18 _____ 19 NOTARY PUBLIC 20 21 22 23 24 25
1 In Re: Valsartan, Losartan, Et Al 2 Kali Panagos, Pharm.D (#5024986) 3 E R R A T A S H E E T 4 PAGE____ LINE____ CHANGE_____ 5 _____ 6 REASON_____ 7 PAGE____ LINE____ CHANGE_____ 8 _____ 9 REASON_____ 10 PAGE____ LINE____ CHANGE_____ 11 _____ 12 REASON_____ 13 PAGE____ LINE____ CHANGE_____ 14 _____ 15 REASON_____ 16 PAGE____ LINE____ CHANGE_____ 17 _____ 18 REASON_____ 19 PAGE____ LINE____ CHANGE_____ 20 _____ 21 REASON_____ 22 23 _____ 24 Kali Panagos, Pharm.D Date 25	Page 203

[&amp; - 4]

Page 1

<b>&amp;</b> <b>&amp;</b> 2:14 3:5 4:10,14 4:19 5:5,9,17,21 7:5	<b>15th</b> 3:10 <b>16</b> 8:13 <b>16990</b> 3:15 <b>17</b> 8:15 <b>175</b> 8:5 <b>17th</b> 3:20 <b>18</b> 97:9,12,18 99:2 <b>18,750</b> 89:18 <b>184</b> 8:5 <b>185</b> 8:6 <b>189</b> 8:6 <b>19</b> 99:15,18,24 <b>190</b> 6:6 <b>19087</b> 3:2 <b>19103-4196</b> 3:20 <b>194</b> 8:7 <b>199</b> 201:10 <b>1997</b> 18:2 <b>1:56</b> 92:25 <b>1st</b> 200:12	<b>2009</b> 19:15,17,22 20:14 28:24 <b>201</b> 8:9 <b>2010</b> 28:24 <b>2012</b> 188:9 <b>2015</b> 27:6 <b>2016</b> 65:1 <b>2018</b> 28:7,19 35:12 36:5 47:14 93:14 138:18 142:7,11 142:15,19 146:22 150:24 <b>2019</b> 26:7 37:6,14 45:1 46:25 47:2 47:14 <b>202</b> 8:9 <b>2020</b> 46:9 <b>2021</b> 37:14,17 97:23 186:11 <b>2022</b> 1:11 10:4 200:10,13 201:17 202:3 <b>2023</b> 200:18 <b>203</b> 8:10 <b>21</b> 1:11 6:15 90:8 100:7,12,18 <b>21cfr</b> 176:10 <b>21st</b> 10:4 200:9 201:17 <b>2200</b> 4:6 6:19 <b>2220</b> 5:13 <b>22695</b> 200:16 201:22 <b>227</b> 3:5 <b>230</b> 5:13 <b>25</b> 103:12 <b>2500</b> 6:11 <b>2525</b> 1:14 2:11,22 10:7 <b>260</b> 7:2	<b>270</b> 3:2 <b>27th</b> 4:19 <b>28</b> 100:8,12,18,22 104:8 105:7 <b>28202</b> 3:6 <b>2875</b> 1:4 <b>29</b> 101:9,11,16 106:22 108:11,15 109:5 <b>3</b> <b>3</b> 8:16 64:16 69:3 70:12 85:13,21 93:4 125:21 <b>30</b> 3:20 69:3 70:12 202:17 <b>300</b> 3:17 <b>30305</b> 6:11 <b>312</b> 5:2 <b>316</b> 6:2 <b>32</b> 101:9,11,16 106:23 108:11,16 109:5 <b>32502</b> 6:3 <b>32nd</b> 5:6 <b>33</b> 109:7,12 171:25 177:11,15,20 178:7 <b>33134</b> 1:15 2:11,23 <b>3333</b> 6:11 <b>3475</b> 3:6 <b>3600</b> 4:6 6:19 <b>375</b> 88:21 89:17 <b>38th</b> 4:10,15 <b>3:09</b> 128:18 <b>3:21</b> 128:21
<b>0</b> <b>02109</b> 4:19 <b>04101</b> 2:15 <b>07102</b> 3:10 <b>07932</b> 4:24 <b>08540</b> 6:15	<b>19</b> 99:15,18,24 100:19 <b>190</b> 6:6 <b>19087</b> 3:2 <b>19103-4196</b> 3:20 <b>194</b> 8:7 <b>199</b> 201:10 <b>1997</b> 18:2 <b>1:56</b> 92:25 <b>1st</b> 200:12	<b>2</b> <b>2</b> 8:15 17:22,24 40:15 63:17 79:18 80:14,17 93:9 102:19,25 107:5 155:7 <b>20</b> 38:18 82:24 99:15,18,24 100:19 136:1 204:15 <b>200</b> 6:10 8:8 <b>2000</b> 18:14,22 20:13 27:6 <b>20004</b> 5:22 7:6 <b>20004-2166</b> 4:2 <b>2002</b> 19:12 <b>2005</b> 20:13 <b>2006</b> 19:2 <b>2008</b> 28:7,19	<b>4</b> <b>4</b> 8:18 90:23,24 103:13 141:20 155:5,7 202:3

[4,500 - adjudicated]

Page 2

<b>4,500</b> 87:20	<b>56</b> 136:5,6,13	<b>9</b>	<b>accuracy</b> 202:9
<b>400</b> 4:23 6:2 88:22	<b>57</b> 136:24	<b>9</b> 127:20	<b>accurate</b> 15:21
<b>41</b> 109:7,12	<b>59</b> 140:9,14,22	<b>90</b> 8:18	147:24 179:7
<b>42</b> 110:3,7 112:14	141:22 180:24	<b>910</b> 127:11	195:18 198:10,23
112:19,22 113:2	181:3 182:22	<b>911</b> 127:20	201:11
<b>43</b> 110:3,7 113:5	183:12 184:2	<b>97</b> 18:25	<b>accurately</b> 189:3
<b>44</b> 113:7 114:20	<b>5:30</b> 183:5	<b>9:32</b> 1:12 10:4	<b>acknowledgement</b>
115:1	<b>5:33</b> 189:10	<b>9th</b> 4:2	204:3
<b>44023-4536</b> 3:16	<b>5:38</b> 189:13	<b>a</b>	<b>acknowledgment</b>
<b>444</b> 3:6	<b>5:52</b> 1:12 199:16	202:12	202:12
<b>45</b> 115:16	199:18	<b>actavis</b> 3:13,13	
<b>45202-4029</b> 5:2	<b>6</b>	<b>action</b> 201:15,16	
<b>46</b> 116:18,23	<b>6</b> 16:20 80:11	<b>actions</b> 1:6 173:3	
117:25 118:4,11	97:23 123:17	<b>active</b> 36:24	
118:23 119:4,7,12	124:4,10,20 125:4	<b>activities</b> 169:20	
119:18 172:25	125:15 142:22	<b>actual</b> 151:8,18	
<b>46204-3535</b> 5:10	143:7,14 144:4,24	<b>add</b> 12:11 70:15	
<b>47</b> 121:11,17	171:25	73:4,12	
123:10,17,22	<b>60</b> 89:13	<b>added</b> 97:23	
124:3,10,13,20	<b>600</b> 3:5 6:6	<b>addition</b> 69:13	
128:13 136:8	<b>60606</b> 5:14	71:13 107:19,24	
143:3 145:11	<b>617-213-7001</b> 4:20	135:11	
<b>4:10</b> 153:24	<b>617-213-7045</b> 4:20	<b>additional</b> 98:12	
<b>4:34</b> 154:2	<b>63105-3443</b> 6:7	100:17 104:18	
<b>5</b>	<b>66210</b> 7:2	<b>additionally</b>	
<b>5</b> 8:19 97:7 103:13	<b>6b</b> 143:2	181:14	
125:10,11,14	<b>6d</b> 144:10	<b>additions</b> 204:6	
126:5,6,12,20	<b>6i</b> 145:6,9,16	<b>address</b> 13:21,22	
127:10,19 128:12	146:24 147:11	37:1,4	
<b>50</b> 89:13,16	<b>6th</b> 186:11	<b>addressing</b> 52:9	
<b>500</b> 4:23	<b>7</b>	197:9	
<b>5024986</b> 202:5	<b>701</b> 2:19 5:17	<b>adequate</b> 162:15	
203:2 204:2	<b>70130</b> 2:19 5:18	<b>adhere</b> 23:2,16	
<b>505</b> 4:2	<b>704</b> 3:6	130:25 145:21	
<b>52</b> 128:24 130:10	<b>75201-7932</b> 4:7	146:8	
131:10,14,17	6:20	<b>adhered</b> 153:2,2	
<b>53</b> 4:19	<b>8</b>	153:22	
<b>55</b> 132:9,15,25	<b>8101</b> 7:2	<b>adherence</b> 22:5,6	
133:8 134:3 135:9	<b>85</b> 8:16	<b>adjudicated</b>	
<b>550</b> 3:2		162:18,19	

## [adjudication - answers]

Page 3

<b>adjudication</b>	20:1 35:12 <b>advisory</b> 26:3,9,10 105:1 <b>affiliation</b> 24:1,23 25:2,5,6,14,17,18 <b>affiliations</b> 23:20 26:3 <b>affirm</b> 13:1 <b>affirmed</b> 200:9 <b>affordable</b> 115:19 <b>afternoon</b> 93:3 175:21 183:5 <b>agency</b> 96:5 <b>agency's</b> 150:18 <b>ago</b> 177:10 <b>agree</b> 11:7 91:13 91:21 149:15,21 175:24 177:14,18 178:7 <b>agreed</b> 9:15 103:2 <b>agreement</b> 12:3 <b>agreements</b> 160:16 191:20 <b>ahead</b> 16:9 17:21 85:12 90:22 128:16 153:23 181:19 <b>aid</b> 5:11 21:16 <b>al</b> 202:4 203:1 204:1 <b>albertson</b> 3:8 <b>alfano</b> 4:10,14 <b>allege</b> 185:16 <b>alleged</b> 97:2 186:25 <b>alleges</b> 187:22 <b>allotted</b> 202:20 <b>allow</b> 12:22 30:19 74:6 116:15 171:5	<b>allows</b> 23:13,16 116:13 <b>alluding</b> 181:10 <b>american</b> 44:22 47:10,21 48:21,22 50:1,11 51:3 100:1 <b>amerisourceberg...</b> 175:23 <b>amgen</b> 26:3 <b>amount</b> 34:17 72:14 87:18 89:5 89:21,25 90:2,2,3 183:5 188:9 195:10,14 196:4 196:10 198:3 <b>amounts</b> 87:22 196:8 <b>analysis</b> 32:12 <b>analytics</b> 32:9 <b>anda</b> 67:19 106:5 106:7,15,15 107:2 116:11 117:1 118:15 119:15 121:8,13 123:12 124:5 130:19 131:22 132:4 143:10,17,19,25 144:1 150:14 151:15 173:10 <b>anda's</b> 124:6,24 <b>anesthesia</b> 24:1,9 <b>anesthesiologists</b> 24:15 <b>anesthesiology</b> 24:6 <b>announced</b> 93:15 166:3 <b>announcement</b> 139:23	<b>annoys</b> 69:8 <b>answer</b> 14:11,17 14:18 15:6 33:16 33:23 43:21 66:18 66:24 67:2,25 68:10 69:25 71:11 72:18 77:3 84:5 93:24 94:1,20 106:16 110:21 112:3 115:13,15 117:4 120:16 122:15 126:3 134:14 135:20 137:19 141:15 143:21 156:4,10 156:21 160:14 163:21 166:21 170:21,24 171:20 174:25 176:25 178:17,19 181:19 182:7 191:17 192:17,23 194:6,9 195:8,9 196:19 197:11 198:6,7,15 199:5 <b>answered</b> 15:13 60:8 63:7 66:13 66:15 71:11 72:22 75:15 84:11 94:16 94:17 99:8 111:6 124:14,23 132:22 159:24 163:19 171:17 184:3 191:14,15 192:6 192:14 193:4 198:2,12 199:1 <b>answering</b> 73:2 84:19 <b>answers</b> 72:6,9 180:8
---------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## [anticoagulation - aspects]

Page 4

<b>anticoagulation</b>	120:11 126:10 25:11 <b>anybody</b> 11:25 73:3 189:18 199:8 <b>anymore</b> 122:8 <b>apart</b> 97:2 <b>apologize</b> 197:23 <b>app</b> 88:12 <b>appearance</b> 10:17 26:18 27:2 <b>appearances</b> 10:14 <b>appeared</b> 3:3,8,13 3:18,22 4:4,8,13 4:17,21,25 5:4,8 5:11,15,19,23 6:4 6:8,13,17,21 7:3,7 7:10 200:8 <b>appearing</b> 16:6 169:22 <b>appears</b> 157:22 <b>appended</b> 204:7 <b>appendix</b> 85:24 86:12,14,21 91:10 97:15,16,17,20 98:2 99:6,10,21,22 99:23 107:4,11,15 107:18,22 108:2,6 110:10,13,14 111:3 113:13,14 114:9 115:8 135:6 135:7,11,15,22 185:21 <b>appendices</b> 93:5 <b>applic</b> 119:2 <b>applicable</b> 116:20 118:13 120:4,21 173:2,5 202:8 <b>application</b> 67:19 117:1,6,9 118:16 118:22 119:2,15	130:14,16 131:22 132:3,4,6 149:17 150:14 151:16 <b>applications</b> 104:2 131:12 149:24 <b>applied</b> 144:19 198:16 <b>applies</b> 30:16 <b>apply</b> 52:19 111:12 <b>applying</b> 106:15 117:16 130:24 <b>appointment</b> 46:12 <b>appreciate</b> 71:1 79:25 198:6 <b>appropriate</b> 30:17 35:17 73:14 103:18,20 179:12 <b>appropriately</b> 29:19 35:3 178:5 <b>approval</b> 56:24 57:5,22 58:25 66:4,9 67:5,18,20 67:21 68:4,6 72:3 74:25 75:16 76:3 100:6 104:2 107:6 107:16 110:9 111:1 112:8,16 116:25 117:8,16 117:16 118:16,17 118:22 119:2,10 119:15,23 120:6 120:13 124:7 125:1 126:11,18 127:6 128:8 130:14,20,24 131:1,5,12,20,23 132:2,6 134:11 136:16,21 143:10	143:19 145:23 149:18,20 151:16 164:23 173:8,8 183:20 <b>approvals</b> 57:12 74:22 75:4,12,24 127:3 128:4 <b>approved</b> 57:5 60:2,10,18 63:1 66:1 67:7 101:19 101:21,21 105:20 105:24 115:22 116:11 119:21 <b>appointment</b> 120:25 123:12,14 124:6,24 127:6 <b>appreciate</b> 71:1 79:25 198:6 <b>appropriate</b> 30:17 35:17 73:14 103:18,20 179:12 <b>appropriately</b> 29:19 35:3 178:5 <b>approval</b> 56:24 57:5,22 58:25 66:4,9 67:5,18,20 67:21 68:4,6 72:3 74:25 75:16 76:3 100:6 104:2 107:6 107:16 110:9 111:1 112:8,16 116:25 117:8,16 117:16 118:16,17 118:22 119:2,10 119:15,23 120:6 120:13 124:7 125:1 126:11,18 127:6 128:8 130:14,20,24 131:1,5,12,20,23 132:2,6 134:11 136:16,21 143:10	<b>articles</b> 52:6,9,12 52:15,18 80:14 81:1 86:19 172:21 <b>asher</b> 3:1 <b>ashp</b> 8:20 100:1 124:15 127:1 <b>aside</b> 78:20 <b>asked</b> 11:7 26:10 60:7 63:7 66:13 66:19,21,25 67:14 67:21 69:14 71:8 71:12,23 72:7,8,10 72:19 75:14 84:11 92:7,9 94:15 111:5 115:12 124:14,22 141:11 141:12 159:24 163:19 164:11 169:15 171:17 174:11 177:11 183:11 184:3 185:8,12,13 189:23 190:15 191:14 192:6,7,14 193:4 197:3 198:12 199:1 <b>asking</b> 12:5 39:19 44:9 57:15,16 68:12,15 87:24 108:23 110:18 118:7 153:15,17 158:22 165:21 169:19 170:16,18 178:24 179:2,8,14 179:14,15,17,18 193:22,24 195:21 <b>asks</b> 11:14 80:14 <b>aspect</b> 29:25 108:15 109:4 <b>aspects</b> 27:15 30:7 37:21 38:2 41:5
------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[aspects - beaten]

Page 5

41:16 54:18 59:8 117:8 <b>assessed</b> 96:9 <b>assessment</b> 150:18 <b>assigned</b> 27:16 116:12 173:8 191:19 <b>assignee</b> 187:12 <b>assignments</b> 187:15 191:20 <b>assignor</b> 187:24 192:3 <b>assignors</b> 185:16 187:6,8,16 191:1,4 191:10,23 192:3 <b>assistant</b> 63:20 <b>assisted</b> 92:3 <b>associated</b> 40:10 194:22 195:25 196:4 <b>association</b> 2:17 10:23 46:20 47:6 47:10 49:24 50:1 50:11 185:15 <b>assume</b> 178:24 179:2 <b>assumes</b> 148:24 192:18 <b>assuming</b> 72:18 <b>assurance</b> 122:23 123:6 <b>asthma</b> 31:23,25 32:3 <b>atlanta</b> 6:11 <b>attached</b> 17:14 86:1 202:11 <b>attachment</b> 85:11 <b>attachments</b> 85:8 <b>attempt</b> 71:15 111:9	<b>attempted</b> 169:16 <b>attended</b> 65:9 <b>attest</b> 174:13 <b>attesting</b> 139:15 <b>attorney</b> 2:5,9,13 2:17,20,24 3:3,8 3:17,22 4:4,8,12 4:17,21,25 5:4,8 5:11,15,19,23 6:4 6:8,13,17,21 7:3,7 69:20 74:3 171:18 182:13 188:20 201:13,14 202:13 <b>attorneys</b> 3:12 <b>attributed</b> 166:22 <b>audible</b> 11:17 <b>audience</b> 82:16,19 <b>august</b> 200:18 <b>aurobindo</b> 5:8 73:6 154:17,18,20 154:24 189:20 <b>authored</b> 56:8,13 56:16 80:25 81:5 81:5,8,8,11,11,14 81:14,17,17 <b>authoritative</b> 112:11 152:20 173:13 <b>authorization</b> 29:13,17 35:2 <b>authorizations</b> 29:24 <b>authorized</b> 201:7 <b>automobile</b> 2:17 10:23 185:14 <b>available</b> 32:14 51:2 175:3 202:6 <b>avenue</b> 2:3,7 4:6 5:21 6:19 7:5 <b>aware</b> 49:12,22,25 51:7,13,18,19,24	91:17 138:11,20 139:24 148:1,5 154:20,22,23 155:1 160:23 165:3,22 166:16 167:1 170:5 175:5 176:13 179:3 181:13 185:9,14	<b>b</b> <b>b</b> 8:11 86:12 142:25 180:25 <b>bachelor</b> 18:1,9 <b>bachelor's</b> 18:12 18:21,24 24:25 25:19 55:12,22 <b>back</b> 43:3,4 59:21 60:3,5 62:8,10 67:1,2,4,24 68:1 68:25 74:18 79:15 79:18 80:2,3 92:17 93:1,25 94:2 95:2,3 99:9 101:2,3 106:16,20 108:24,25 110:20 110:22 112:1,5 120:15,17 121:23 122:12,17,20 127:15 128:22 138:19 143:20,23 154:3 156:16,22 162:12 164:21 189:14 194:6,9,10 <b>background</b> 34:2 95:16 97:8 100:23 101:5 <b>bad</b> 69:7 <b>badger</b> 70:1 <b>balanced</b> 73:9 <b>barnes</b> 5:9 <b>base</b> 60:19 61:10 61:12 103:16	172:16 <b>based</b> 30:12 31:4,7 31:8,16,17 32:1 49:17 59:9 74:2 86:7 89:6 104:5 104:16,22 105:2 117:4 121:12 127:13 130:22 135:10 136:18 147:1,12,13 160:24 161:2 162:15 163:15 165:21 166:11 170:4 173:15 <b>baselessly</b> 71:15 <b>bases</b> 71:20 99:1 112:18,20,21 113:1 <b>basically</b> 138:14 <b>basing</b> 134:14 147:10 <b>basis</b> 41:18 59:1,3 59:10,12 93:17 99:24 105:20 108:10 109:4,6 110:6 111:16,21 113:9 115:20 116:2,22 130:9 132:14 134:21 136:12 139:21 141:24 143:13 144:9,17 145:15 147:3,18 153:16 165:25 <b>batches</b> 154:24 160:22 <b>baylen</b> 6:2 <b>bdc</b> 163:3 <b>bearing</b> 72:7 <b>beaten</b> 173:18,22
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[began - calls]

Page 6

<b>began</b> 29:6 36:5	<b>benefits</b> 30:20 35:1 40:5 41:5 97:8,25 100:2	<b>blocked</b> 162:7,12 162:17,25 163:3	<b>brands</b> 30:25 53:22
<b>behalf</b> 10:19,21,23 10:24 11:1,5 26:18 29:15,16 32:15 40:6 69:2 69:10 73:6,23 151:25 169:22 185:6 194:20	<b>best</b> 30:10 83:17 91:18 99:8 115:18 161:7,8 198:16	<b>blocks</b> 174:4 192:3	<b>break</b> 15:10,13 59:13,19 71:2
<b>believe</b> 11:12 70:14 73:7 80:11 84:19 99:13 107:5 112:3 117:23 137:21 138:18 139:3 165:23 173:18 178:3 179:6 182:14	<b>beyond</b> 19:9 82:19 101:11 137:7,8 163:18 166:18 173:16 178:2 197:1,7 198:1,12 198:25	<b>blvd</b> 1:14 7:2	92:16,18,19,24 128:15,16,20 153:23 154:1 189:6,12
<b>beliveau</b> 2:14	<b>bio</b> 179:6	<b>boards</b> 105:1	<b>bresnahan</b> 5:20
<b>bellevue</b> 25:2,8	<b>bioequivalence</b>	<b>bockius</b> 5:5	<b>brett</b> 7:1
<b>belong</b> 93:22 94:6 129:6	52:16 54:15,18 55:1,3,6,6,9,18	<b>body</b> 114:22	<b>brief</b> 175:17,22 189:19
<b>ben</b> 7:10	56:4 106:7 149:22	<b>book</b> 81:18 100:5 101:10,16,18,19 104:3 105:17,19 105:23 107:10,12	<b>bring</b> 83:20
<b>beneficial</b> 22:24 23:1	150:8,11 151:4	107:17 108:14,14 109:14,21,24	<b>brisbois</b> 3:1
<b>beneficiaries</b>	171:16,23 172:11	110:4 112:7,9,23	<b>broad</b> 82:2
164:17 169:10 189:25 190:7	172:18 176:4,14	115:22 116:5	<b>broadreach</b> 22:23 28:5,9,15 29:2,5,6 29:12,21 30:5,13
<b>beneficiary</b> 164:8 165:19	177:16,21,23	119:24 120:5,24	<b>brook</b> 104:3
<b>benefit</b> 30:1 31:7 31:14 36:11,12,15 36:22 37:21,22 38:1 39:6,24 40:11 41:4,8 44:12 57:11 58:13 59:7 60:11 62:19 64:21 83:3,12 100:4 102:13,14 105:16 132:13 157:2 160:5 196:23	178:10,11,20 179:9,18 180:19	121:3,6,12 132:10	<b>brought</b> 40:25 182:5 192:21
	180:22 181:1	133:10,15 134:7	<b>buchanan</b> 3:5
	182:13,21 183:10	149:17 152:9,17	<b>business</b> 22:19,20 22:22 23:3 35:22
	183:16,21,25	152:21 153:7,8,17	37:1 77:22,24
	<b>bioequivalent</b>	153:20 173:6,7	78:6,8,10,12
	114:21 115:11,17	178:8 181:16	<b>businesswomen's</b>
	150:1 172:1,15	183:15,23	46:20 47:6 49:23
	175:25 177:7	<b>books</b> 81:20	<b>c</b>
	178:4,9,25 179:7	<b>bosick</b> 4:10,14	<b>c</b> 2:1 7:1 10:1
	179:12,16 180:20	<b>boston</b> 4:19	180:22,25
	180:21 181:17	<b>bottom</b> 103:12	<b>calculated</b> 79:12
	<b>biology</b> 18:5 77:16	105:11	89:5,20
	78:3	<b>boulevard</b> 2:11,22	<b>call</b> 35:15 150:18
	<b>bipc.com</b> 3:7	10:8	<b>called</b> 114:2 132:4
	<b>bit</b> 16:13 66:14	<b>bound</b> 160:9,16	139:8
	154:5 186:20	<b>brand</b> 66:1 67:6	<b>calling</b> 70:2 122:2
	<b>blackwell</b> 6:6	112:9 114:23	139:5
	<b>block</b> 3:1 173:14	127:2 133:5,6,12	<b>calls</b> 35:20 60:7
	174:1 190:21	143:11 144:7,14	67:12 69:17
		145:24	100:24 121:18
		<b>branded</b> 113:8,16	
		114:12,21 140:12	
		142:1,3,5,8,12,16	
		142:20 183:14,20	

## [calls - classification]

Page 7

164:19 165:6 178:1 198:11,25 <b>camber</b> 3:3 <b>camden</b> 1:2 <b>camp</b> 2:19 5:17 <b>campbell</b> 7:4 <b>campus</b> 4:23 <b>cancer</b> 82:1,4 83:9 83:15 84:18 96:5 <b>capacities</b> 26:12 <b>capacity</b> 23:7 39:25 51:12 57:9 91:19 100:16,21 112:24 117:22 138:13 157:23,23 187:15 <b>captures</b> 178:3,4 179:6,11 <b>capturing</b> 128:2,3 <b>carcinogen</b> 141:1 141:2 166:23 <b>carcinogenicity</b> 96:10 <b>carcinogens</b> 93:22 96:4 145:20 <b>cardiovascular</b> 31:23 168:23 <b>care</b> 22:17,19 38:19 39:5 45:17 49:2,6,9,18 100:1 100:3 115:18 <b>career</b> 41:13,16 48:12 82:8,23,25 95:17,22 186:17 <b>careful</b> 161:3 163:12 <b>carefully</b> 156:10 169:4 <b>carondelet</b> 6:6 <b>carrier</b> 32:24	<b>case</b> 12:21 79:13 85:8 88:6,8 89:9 94:8 122:7 129:24 130:20 132:4 136:24 140:25 141:16 143:17,18 157:3 169:21 170:5 171:13 172:10 181:25 185:17 186:23 191:10 <b>cases</b> 35:15 102:20 196:23 <b>categorically</b> 71:6 <b>categories</b> 54:11 62:21 133:9 185:24 <b>category</b> 54:2,2 76:15,23 <b>caught</b> 16:14 197:22 <b>caution</b> 182:1 <b>center</b> 2:15 3:9 25:2,9 <b>centre</b> 4:10,15 5:6 <b>cerner</b> 2:6 <b>certain</b> 23:19 26:15 44:19 45:7 148:16 149:12 154:24 160:21,22 188:24 <b>certainly</b> 20:17 79:22 168:10 <b>certainty</b> 163:13 <b>certificate</b> 8:8,9 200:1 201:1 <b>certificates</b> 78:10 <b>certification</b> 21:15 21:19 23:10,15 <b>certifications</b> 21:11,12 77:17	<b>certified</b> 21:15,17 <b>certify</b> 200:7 201:6,12 <b>cetera</b> 11:14 31:2 80:15 <b>cfr</b> 178:10 <b>cgannon</b> 3:11 <b>chagrin</b> 3:16 <b>change</b> 150:16 153:14 203:4,7,10 203:13,16,19 <b>changed</b> 38:10 143:11 <b>changes</b> 102:10 143:9,16,25 144:2 202:10 204:6 <b>changing</b> 49:16 <b>chapters</b> 81:18 <b>characterization</b> 66:17 <b>charges</b> 88:3 <b>charles</b> 3:14 <b>charlie</b> 2:21 10:24 70:16 <b>charlotte</b> 3:6 <b>chartered</b> 2:14 <b>check</b> 17:6 179:24 180:5 <b>chelsea</b> 1:16 10:10 11:5 199:12 200:6 200:17 201:5,22 <b>chicago</b> 5:14 83:2 <b>child</b> 21:16 <b>choice</b> 30:24 <b>choose</b> 30:17 <b>chp</b> 194:20 <b>chris</b> 3:4 <b>christine</b> 3:9 <b>christopher.henry</b> 3:7	<b>cincinnati</b> 5:2 <b>circumstances</b> 150:17 <b>cited</b> 128:12 <b>cites</b> 178:8 <b>city</b> 2:15 <b>civil</b> 69:3 70:4 <b>claim</b> 42:25 43:23 44:16 97:22 104:19 113:23 194:23 195:23 196:4,12 <b>claim's</b> 162:23 <b>claims</b> 32:18 39:5 39:23 40:9,10,12 43:5,6,25 44:3,9 44:10 92:1 98:5,8 113:18 114:3 162:18 163:14,23 164:24 165:15 186:10 187:2,3,5 187:16 189:23 190:1,1,9,10,11,18 190:19 191:7,8,19 191:25,25 192:8 193:1,1,3,7,9,16 193:16,18,20,22 194:1,21 195:3,9 195:10,24 196:3 196:13,21 197:12 198:2,4,9,17,22 <b>clarify</b> 107:18 113:24 139:4 149:9 152:19 175:17 180:18 <b>class</b> 103:4,8 188:4 188:18 <b>classes</b> 20:15,18 <b>classification</b> 96:5 96:6,13,15 134:9
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[classwork - concern]

Page 8

<b>classwork</b> 55:25	155:14	190:17	<b>companies</b> 159:11 159:14 160:6,17
<b>clear</b> 108:17 171:19 178:20 192:17	<b>clinics</b> 25:11 <b>close</b> 127:23 <b>closely</b> 24:9 99:10 115:14 168:25	<b>commented</b> 166:22 <b>commission</b> 200:17	<b>company</b> 36:24 42:13 79:4,7 169:20
<b>clearly</b> 107:17 198:4	<b>cluttered</b> 80:4 <b>coaching</b> 181:21 <b>coan</b> 4:18 <b>coates</b> 4:22	<b>committee</b> 41:21 42:4,20,22 102:17 102:18,22,24	<b>compared</b> 100:18 <b>compensated</b> 88:19
<b>client</b> 23:8 28:12 28:23 30:4 38:21 44:4,5,5,6,7,11,13 57:16 58:12 59:23 60:13,19 61:10,12 61:23 82:16 102:13 158:12 160:9,11	<b>coatesg</b> 4:24 <b>code</b> 109:9 116:12 175:25 176:6,10 176:15 177:7,16	121:5 126:11 127:16 133:7 152:8	<b>competitive</b> 31:4 <b>complaint</b> 165:24 185:16,19 186:25 187:23
<b>client's</b> 170:18	177:21,25 178:8 178:12,22 179:1,4	<b>committee's</b> 42:6 126:6	<b>complete</b> 18:8,20 86:3,14 115:15 204:8
<b>clients</b> 30:7,17 31:14 32:15 33:6 33:10,13,14 36:23 37:20,25 38:22 41:23 42:11 56:24 57:10 58:2,3,10 59:7 62:18 82:12 82:14,19 91:18 151:25 157:15,17 158:1,4,8,13,17,20 158:23 159:19	<b>codes</b> 109:18,20 109:23,23 116:15	<b>committees</b> 41:9 41:12,14,18,23 42:1 104:5,15	<b>completed</b> 18:22 55:11,20 105:4 202:17
168:6,11,14 169:6 170:17,22,25 171:3 184:14,18	<b>collaboration</b> 29:14,15	105:1 116:19 118:11,19,25 119:13 121:3,14	<b>completely</b> 192:20 <b>completing</b> 29:17
<b>clinical</b> 23:7,7,19 24:1,23 25:1,4,6 25:13,16 26:2 28:11,12,14,18 29:12,21,22,25 31:4,6,11,11,12 33:1,20,25 34:1,21 35:16 38:20 50:24 53:19,21 83:20 103:18,22 104:6 104:16,22 105:2 126:25 152:25	<b>colleague</b> 46:15 64:23	124:4,11 127:3 132:9,18 133:14 133:21 134:7,17	<b>complex</b> 34:9 <b>compliance</b> 22:4,6 116:20 118:12 120:3,21 127:5 132:11 173:2
	<b>colleagues</b> 36:1	134:23 136:3	<b>compliant</b> 124:7 132:7
	<b>collect</b> 89:1	151:8,19,23 152:4 152:19 153:12	<b>complied</b> 119:22 119:24 173:4
	<b>college</b> 7:2 44:22 48:22,23 77:11,24 78:5	173:1	<b>complying</b> 160:10
	<b>columns</b> 125:22	<b>common</b> 131:12	<b>component</b> 58:19 115:4,6 155:20
	<b>combination</b> 88:14	<b>communicate</b> 167:9	<b>components</b> 31:13 54:4,19,21 133:25
	<b>come</b> 32:23 33:7 92:17	<b>communicated</b> 167:12,16	138:24
	<b>comes</b> 23:10	<b>communicating</b> 29:19	<b>computer</b> 18:7 78:3
	<b>comfortable</b> 133:24	<b>communication</b> 64:17	<b>concept</b> 55:6 127:10
	<b>coming</b> 15:1 27:19 27:20 152:3,7,11 152:15	<b>communications</b> 17:1	<b>concern</b> 166:14
	<b>comment</b> 68:20 137:25 157:21	<b>community</b> 31:9 32:2	

[concerning - continue]

Page 9

<b>concerning</b> 101:10 158:12,24 174:4 190:21 192:4	<b>connected</b> 201:15 connection 42:13 53:15 58:3 78:1	<b>constructed</b> 128:1 <b>consult</b> 67:15 102:22 151:8	157:11,17 160:21 167:3,12 168:12 170:6 188:10
<b>concerns</b> 12:17 83:22 84:18 155:17	78:22 79:10 83:10 86:4,15,24 87:14 88:4,19 89:18	152:4,8,12,16 153:6,19,21 170:10	192:4 <b>contains</b> 105:23 125:22
<b>concluded</b> 199:18	90:4,9,13,16,18	<b>consultant</b> 41:4,4	<b>contaminant</b> 94:8
<b>concludes</b> 199:15	91:4,8,14,21 92:4	47:11 50:1,11,15 50:17,25 53:20	95:9 140:10,13,21 141:25 147:6
<b>conclusion</b> 60:7 67:13 69:17,18 70:2 74:4 100:25 121:19 122:2 130:18 164:20 165:7 178:2 187:18	92:8 190:8 <b>conservative</b> 167:21	78:21 153:1 157:2 <b>consultation</b> 158:24	156:23 174:15 183:13
<b>conclusions</b> 111:17,22	<b>consider</b> 42:22 60:24 70:11 76:12 100:22 104:24 137:13 158:8,13 158:17 159:10	<b>consulted</b> 65:20 151:18	<b>contaminants</b> 93:16,19,21 94:5 94:14 95:8,15
<b>condition</b> 168:24	158:17 159:10	<b>consulting</b> 36:11 36:13,15,22 38:19 42:12 50:15,17	96:1,3 129:10,18 129:23 130:3,6
<b>conditions</b> 25:25 31:10 32:4 34:9	57:12 58:18 60:10 75:9 76:19,19,20 106:10 115:24	51:1,16 59:6 61:17 79:3,6,10 98:25 158:20	137:23 138:1,14 139:8 141:7,10,11
<b>conducted</b> 54:10 69:7	116:4 119:25 126:12 131:5	<b>consults</b> 171:12 <b>consume</b> 168:20	141:15,19 142:3,6
<b>confer</b> 70:20	135:25 136:18	<b>consumed</b> 87:22 88:1,2 164:13	143:18 145:19
<b>conference</b> 12:15	150:5	165:19 194:2	146:7 147:20
<b>confident</b> 153:22 179:11	<b>considered</b> 104:17 104:21 115:17,24 115:25 116:13,16	<b>consuming</b> 164:8 <b>contact</b> 168:5,7,8	155:1,3,4,6 157:4 163:24 164:3
<b>confidential</b> 42:9 42:10 157:22 158:1,9,14,19,21 159:5,6,10,25 160:1 169:24	117:8 118:6,16 120:13,13 127:18 128:7 134:10 136:17 137:10	<b>contacted</b> 90:9,12 90:15	183:19
<b>confidence</b> 159:13 160:9,11 160:16	147:6 150:1 153:13	<b>contacts</b> 165:21 <b>contain</b> 148:17 149:12 185:25	<b>contaminated</b> 147:15 162:13,22 162:24 163:8
<b>confines</b> 40:1	<b>consistent</b> 12:20 94:10 95:11	<b>contained</b> 154:25 164:8,17 165:5,19	165:15 171:7,14 174:14 185:11,17
<b>confirm</b> 86:2	140:24 153:2	168:19 176:14,15 177:7 190:21	186:24
<b>conjunction</b> 119:10	176:24	<b>containing</b> 52:13 52:24 53:4,10	<b>contamination</b> 186:25
<b>conlee</b> 2:18 11:1 70:15	<b>consistently</b> 66:18 <b>consists</b> 163:23 188:4	93:16 97:3,4 121:9 148:9 151:5 154:21,25 157:7	<b>content</b> 71:20 <b>context</b> 53:18 82:5 82:7 146:20,21,22 155:12 182:25
			183:11
			<b>continual</b> 152:24
			<b>continue</b> 70:5 72:5 72:15,20 73:13,14

[continue - cwhorton]

Page 10

74:6 156:15	103:1 104:21,25	<b>counseling</b> 27:19 42:12 158:18	<b>credits</b> 78:8
163:13 168:20	105:9,17,18,21,22	<b>counselor</b> 160:12	<b>criteria</b> 26:16 45:7 47:8 57:5 58:24
<b>continues</b> 66:20	105:25 106:7,12	<b>countless</b> 41:17	67:20 110:4 116:3 136:16 145:22
72:19	107:23 109:9,10	<b>country</b> 160:23 161:10,24 162:9 164:13	150:19 151:14,16 164:23 183:17,19
<b>continuing</b> 50:20	110:4 114:24	<b>county</b> 200:3 201:3	<b>criterion</b> 149:16
50:22 72:11 78:7	117:23 118:14,20	<b>couple</b> 11:4 28:24 29:1 70:23 175:16 184:10	<b>critical</b> 115:4 169:2
78:9 121:25 122:3	118:23 119:13	<b>course</b> 20:20 55:17 56:3 63:3,8 70:22 186:17	<b>criticism</b> 97:4
<b>contraindications</b>	121:6 123:19	<b>courses</b> 20:21,22 20:24 55:1,3,8	<b>cross</b> 8:4,6 154:14 189:21
28:3	128:13 135:15	63:5,11,14,19,23 63:25 64:1,2,11	<b>crowell</b> 5:21 7:5
<b>control</b> 117:14	137:14 139:9	<b>coursework</b> 20:3 55:11,20 77:10,12	<b>crowell.com</b> 5:22 7:6
140:6	142:23 147:2	77:24 78:6	<b>crs7270</b> 3:16
<b>controversial</b>	149:6,22 150:2,13	<b>court</b> 1:1 10:10,11 10:13 11:10,19,20	<b>cs</b> 202:15
183:4	150:20 151:2	12:24 13:23 14:7	<b>culbertson</b> 4:19
<b>cooperative</b>	158:11 159:7	14:19 68:19 69:19	<b>culminating</b> 71:14
169:17	160:7 166:2	74:10,12 108:23	<b>current</b> 13:21,22 17:13,16 42:15
<b>coordination</b>	167:13 168:21	182:9 183:7 194:5	46:13 54:3 82:8 149:20 184:14
97:25 100:2	176:1,7,21 191:12	194:8	<b>currently</b> 13:24 21:5 45:2,22 79:9
<b>copies</b> 202:14	191:23 192:11	<b>courts</b> 69:22	<b>curriculum</b> 20:1 54:23
<b>copy</b> 40:24 85:12	204:8	<b>coverage</b> 120:14	<b>customize</b> 102:4,9
85:16 113:8,16	<b>corrections</b> 204:6	<b>covered</b> 30:9,9 182:11,13	<b>cut</b> 169:13
114:11	<b>correctly</b> 44:7	23:20 28:19 30:11	<b>cv</b> 8:15 17:13,14 17:16,19,21,25
<b>corporation</b> 4:8	62:12 94:4,23	<b>covid</b> 83:6,8	31:3 32:7,25
6:21	112:17 119:18	<b>cpr</b> 21:16	34:11 37:14 44:18
<b>correct</b> 13:16	120:8 196:1	<b>create</b> 31:10	62:2,4,14,17 63:15 64:16 80:22,23
17:14,15 23:23,24	<b>cost</b> 104:4,13,14	<b>created</b> 36:8	<b>cvs</b> 5:11
24:2,3,18 25:15	104:18,23,24	<b>creates</b> 30:16	<b>cwhorton</b> 2:23
26:4,20 27:6,7,25	115:19	<b>credible</b> 124:17	
28:6,8 29:3 32:10	<b>costs</b> 105:4 194:22		
33:3 34:12 35:8	<b>cotes</b> 12:7,7		
36:6 43:16,17	<b>could've</b> 110:15		
47:12,23 48:3	<b>council</b> 35:11		
55:9 63:25 64:19	<b>counsel</b> 9:16 10:13		
78:14 80:12,13,16	10:15 17:1 22:2		
81:1,2,6,7,9,10,12	27:1 69:13 70:21		
81:13,15,20,21	71:5,14 73:16		
83:25 84:15,22	92:12,15 111:14		
85:2,6 86:24	181:12,23,24		
88:17 89:22 93:12	201:13,15 202:14		
93:13 96:23 97:9	<b>counsel's</b> 73:15		
99:15 100:18	<b>counseled</b> 159:11		
101:10,16 102:23			

[d - determine]

Page 11

<b>d</b>	<b>daubert</b> 69:22 74:10 <b>davis</b> 4:5 <b>day</b> 49:13,13 86:8 86:8,18,18 91:15 91:15 100:21,21 112:24,24 115:5,5 133:22,22 152:25 152:25 155:14,14 163:22,22 172:21 172:21 185:6 200:10,12 201:17 204:15 <b>days</b> 202:17 <b>dc</b> 4:2 5:22 7:6 <b>de</b> 1:14 2:11,22 10:7 <b>dealers</b> 2:17 10:23 185:15 <b>deals</b> 99:15 <b>december</b> 34:19 <b>decided</b> 103:10 <b>deciding</b> 105:14 <b>decision</b> 91:20 118:5 <b>decisions</b> 67:17 76:4 103:16 104:5 104:15 <b>declaration</b> 114:17 <b>declare</b> 204:4 <b>dedicated</b> 38:18 <b>deem</b> 35:16 <b>deemed</b> 116:1 124:8 144:15 204:6 <b>defendant</b> 1:13 13:13 182:12 188:13 <b>defendant's</b> 71:17 140:11 142:1	151:5 161:11,25 <b>defendants</b> 69:10 69:24 70:6 72:8 73:21 111:16 175:15 183:13 184:6,9,21 <b>defense</b> 69:13 70:20 73:3,11 <b>defer</b> 75:19,23 <b>define</b> 77:8 115:10 <b>defined</b> 177:24 178:12,21,25 179:4 181:4,7 182:23 183:24 188:4,19 <b>definition</b> 34:8 95:15,21 96:1 171:15,22,25 172:3,10,17 175:25 176:3,6,13 176:14,20,22 177:7,12,16,20 178:3,5 179:6,9,11 179:12 181:9,13 181:16 183:10 <b>definitions</b> 109:8 <b>degree</b> 18:12,21 18:24 24:25 25:7 25:20 55:12,13,13 55:21,22 78:8 <b>degrees</b> 19:10 77:11,20 78:5,12 115:3 <b>demonstrate</b> 106:6 144:20,22 <b>demonstrated</b> 193:9 <b>demonstrates</b> 190:1 <b>demonstrating</b> 128:8	<b>department</b> 20:9 21:18 22:11,15 23:10 63:12 <b>depends</b> 43:10,15 <b>ponent</b> 9:17 69:5,9 202:13 204:3 <b>deposed</b> 14:1 78:25 <b>depositing</b> 202:13 <b>deposition</b> 1:10 8:14 9:17 10:6,7 14:6 16:4,7,10 17:6 66:19 69:5 71:16,23 72:5,12 73:17 79:16 181:24 195:6 199:16,18 201:8 <b>depositions</b> 11:13 11:24 12:2,4 <b>derived</b> 79:9 <b>describe</b> 39:2 64:20 <b>description</b> 95:7 108:14 <b>design</b> 30:8 41:5,7 102:13,14 <b>designed</b> 31:3,7 71:8 <b>designs</b> 83:13 <b>detail</b> 97:22 171:18 <b>detectable</b> 148:17 149:13 <b>determination</b> 91:13 150:2,11,25 <b>determine</b> 72:25 73:1 125:21 166:7 173:4 190:6 191:3 192:2
----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[determined - drug]

Page 12

<b>determined</b>	116:3	194:17	87:25 88:3 90:25	<b>dr</b>	10:6 13:10,20 27:5 44:18 59:23
<b>determines</b>	116:8 149:21	<b>directly</b> 22:19 44:12 173:24	95:5 101:24 112:13 125:14		68:3 69:11 70:3
<b>determining</b>	33:7 150:8	196:12	128:24 135:13		74:6,13,20 92:16 93:3 110:25
<b>develop</b>	101:24 102:11	<b>director</b> 19:20 23:7 28:11,17 29:21 34:21	154:16 171:2 175:21,24 177:5 177:14 179:14,22		111:17 140:19 149:15 153:15
<b>developed</b>	30:11 103:4,5	<b>disagree</b> 71:6 73:24	180:17 181:3 182:18 183:10,24 184:4 194:19		154:4 156:3 157:22 169:21 185:5 189:16
<b>developing</b>	30:21 30:23	<b>disclosed</b> 87:12	<b>doctorate</b> 19:1,5,7		199:3,12
<b>development</b>		<b>discourteous</b> 70:4	25:7 55:22	<b>drew</b>	4:1 111:23 194:19
	38:20 100:2,6 102:20 107:6,16 112:16	<b>discovery</b> 191:11	<b>document</b> 1:6 16:16 40:23 90:22	<b>drive</b>	4:23
<b>developments</b>	41:20	<b>discuss</b> 109:8 110:3 126:5	90:25 120:2,19	<b>drug</b>	22:9 26:12
<b>deviation</b>	141:16 144:21	<b>discussed</b> 12:14 19:10 21:2 48:10 48:14 59:10 83:18	123:16,21 124:19 125:4,15,19,21		26:13,14,15 27:24 27:25 30:18 31:14
<b>device</b>	79:7	83:23 84:9,22 95:6 99:1 108:4	128:1,2,9 135:15 176:17,23 177:1		33:1,20 53:22,23 53:24 57:4,10,21
<b>diabetes</b>	25:23 31:23	127:10	<b>documented</b> 31:4		60:1,10,17 61:5
<b>diagnoses</b>	25:25	<b>discusses</b> 100:8 126:6,20	<b>documenting</b> 29:18		62:18,25 66:1 67:5,21 72:3 75:9
<b>diagnosis</b>	32:3	<b>discussing</b> 83:9,12 83:14,24 84:8,23	<b>documents</b> 16:22 17:7 40:13,16,18		75:16 76:3,13,21 82:1,3,4 83:13,13
<b>diagram</b>	104:7 105:7,11,12	<b>discussion</b> 26:11 26:21,23 34:4	135:4,5,7,11,22,24 175:5		83:20 84:18 100:3 100:3,5,6,8 101:19
<b>diem</b>	29:9	58:19 84:17,19	<b>doing</b> 73:15 82:24		101:21 102:21
<b>differ</b>	39:16 40:7	99:12 105:5 108:7	92:3 102:2 126:18		103:21 104:1,16
<b>differences</b>	39:18 39:20	<b>dispensing</b> 27:18	179:24,25		105:2,19,25 106:5
<b>different</b>	25:25 30:19 35:21 39:7 72:21 81:23 89:2 91:11 109:22 129:21 139:6 157:13 167:15 168:11 169:16 170:12,12 175:6	<b>distance</b> 35:5,10	<b>dorner</b> 4:1 8:7		107:6,15 112:8,15
<b>differs</b>	39:12	<b>distinction</b> 130:1	111:23,23 194:15		113:8,8,11,15,16
<b>direct</b>	8:4,6,7 13:8 185:3 192:16	<b>distributed</b> 188:11	194:18,19 195:1,2		114:11,12,21,22
		<b>district</b> 1:1,1	195:7,12,22		114:23 115:6,23
		<b>division</b> 20:22 63:21 64:1	196:18 197:2,10 197:21 198:5,14		116:3 118:5 120:11,14 121:9
		<b>divorced</b> 192:20	199:2,4,7		121:12,15 122:23
		<b>dklinges</b> 3:21	<b>dosage</b> 113:8,16		122:24,25 123:14
		<b>doctor</b> 16:6,16	114:12		125:1 126:16
		17:25 38:17 55:13	<b>dose</b> 188:13		127:2,4,7 131:6,12
		68:8 78:14 79:15	<b>dozens</b> 12:8,8		131:20,21 132:3,4
		80:25 81:22 85:23			132:6,13 133:12

[drug - equivalence]

Page 13

133:23 134:6,9 136:15,20 137:4,9 138:1 140:24 141:4,17 142:4 143:16 144:7,13 144:14,20 145:22 145:23,24,25 147:7 149:24,25 150:1,8 151:12,25 157:17 160:24 162:21,21 164:2 164:21 166:14 168:23 172:1 173:6,10 174:16 178:4,9 179:7,12 179:16 180:20 181:17 183:1,2,17 183:18,20 188:10 196:24 <b>drugs</b> 6:17 22:3 30:9,16 33:22,24 52:13,24 53:5,11 56:24 57:12 67:7 67:17,18 74:25 75:8 76:12,19 93:16 97:3,4 107:2 110:8 111:1 112:10 114:21 115:17,22,25 120:6,12,25 127:6 127:18,21 128:6 132:11 133:3,5,6,9 133:9,10,12 134:11,20 139:11 141:16 148:9 152:22 154:21,25 157:3,7,11 158:25 160:21 161:8 162:13 164:24 165:10,13 167:3 167:12 173:12	174:14 190:19 198:17 <b>dtdorner</b> 4:3 <b>duane</b> 3:19 4:1 <b>duanemorris.com</b> 3:21 4:3 <b>due</b> 93:16 <b>duly</b> 13:6 200:8 <b>duties</b> 27:13 29:11 29:13 36:20  <b>e</b> <b>e</b> 2:1,1 3:2 8:1,11 10:1,1 171:25 180:22,25,25,25 203:3,3,3 <b>earlier</b> 27:2 37:1 71:4 74:1 93:11 182:12 <b>echo</b> 186:20 <b>economic</b> 165:9 <b>economics</b> 77:7,10 77:12,18,20 <b>education</b> 19:9 50:20,22 54:17,22 55:2,7 59:4 77:25 78:7,9 86:8 95:17 99:21 100:15 112:23 113:12 114:14 115:3,7 132:17 133:19 135:2,11 136:1 155:21 <b>effect</b> 69:17 70:3 187:23 188:19 <b>effective</b> 58:24 104:18 114:23 115:24 116:1 117:15,18 120:25 122:23 124:8 126:8,8,17 127:5 128:8 129:20	132:8 136:22 144:15,21 145:24 163:10 173:10 <b>effectiveness</b> 105:20 123:14 151:17 183:2 <b>effects</b> 82:3,4 83:21,21 <b>efficacy</b> 95:12 104:13,16 149:19 <b>efficiency</b> 74:5 <b>efficiently</b> 30:1 73:13 161:16 <b>either</b> 44:7 102:3 111:24 196:9 <b>elaborate</b> 39:19 <b>ellie</b> 6:18 <b>ellie.norris</b> 4:7 6:20 <b>embarrasses</b> 69:8 71:9 <b>employed</b> 22:23 <b>employee</b> 23:18 42:18 201:13,14 <b>employees</b> 30:18 36:16 <b>employer</b> 23:5,6 33:14 36:14 39:8 39:13 168:7 169:22 <b>employers</b> 3:17 30:17,20 39:24 159:19 <b>employment</b> 82:10 <b>encouraged</b> 115:18 <b>engaged</b> 41:23 51:25 52:3,22 53:3,9 54:14 91:21 175:2	<b>engagement</b> 8:18 82:15 83:2 91:3,4 91:14 <b>engagements</b> 82:6 <b>enrollment</b> 32:9 <b>ensure</b> 35:2 99:11 117:17 161:17 169:10 <b>ensuring</b> 28:2 29:23 104:16 117:15 171:6 <b>entail</b> 22:1,11 24:4 55:14 <b>entailed</b> 30:14 32:11 55:17 77:12 <b>entails</b> 22:2 66:6 76:4 <b>entire</b> 28:16 111:12 127:12 128:1 135:10 140:16,18 178:25 <b>entirety</b> 81:20 99:7 108:6 110:15 111:8 164:4 <b>entities</b> 33:11 35:22 42:5 98:25 184:20 <b>entitled</b> 111:16 121:21 <b>entity</b> 37:4 40:6 44:13 105:14 150:7 170:23 174:10 <b>entry</b> 110:4 <b>epidemic</b> 64:18,24 <b>epidemiology</b> 56:9 <b>equivalence</b> 101:20 105:24 106:2 109:9,17,20 109:23 116:8,12 144:5 150:17,20
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## [equivalence - factor]

Page 14

178:8 <b>equivalent</b> 116:9 122:24 140:11 141:17 142:1,5 144:15 151:1 183:14 <b>equivalents</b> 115:17 <b>errata</b> 8:9 202:11 202:13,17 <b>erratas</b> 202:15 <b>error</b> 197:22 <b>esquire</b> 2:2,6,10 2:14,18,21 3:1,4,9 3:14,19 4:1,5,9,14 4:18,22 5:1,5,9,12 5:16,20 6:1,5,9,14 6:18 7:1,4 202:1 <b>essential</b> 31:13 133:25 <b>essentially</b> 164:5 <b>established</b> 58:25 68:6 74:24 75:17 110:8 111:1 112:10 120:12 128:6 134:9 140:5 153:8 <b>et</b> 11:14 31:2 80:15 202:4 203:1 204:1 <b>evaluate</b> 32:14 <b>evaluated</b> 20:4 150:15 <b>evaluating</b> 127:11 149:24 <b>evaluation</b> 26:11 101:20 116:8 <b>evaluations</b> 105:24 106:3 <b>evasive</b> 72:20 73:10,25	<b>event</b> 11:13 <b>evidence</b> 31:3,7,16 31:17 32:1 103:16 127:13 148:25 <b>evolving</b> 49:16 <b>evp</b> 38:12 <b>exact</b> 83:7 90:6,6 138:19 <b>exactly</b> 46:23 47:15 88:12 158:22 <b>examination</b> 8:4,4 8:5,5,6,6,7 13:8 70:13 154:14 158:2 175:19 180:10 182:14 184:11 185:3 189:21 194:17 <b>examine</b> 70:9 <b>examined</b> 13:6 <b>example</b> 195:15 196:22,24 197:4 197:15,23 <b>examples</b> 31:22 135:14 <b>exceeds</b> 89:21 <b>excel</b> 88:15,16 <b>exceptions</b> 127:21 <b>excerpts</b> 97:21 186:11 <b>exchange</b> 196:20 <b>exchanged</b> 196:5 196:11 <b>exchanges</b> 195:14 <b>excluded</b> 102:14 <b>exclusive</b> 30:12 <b>exclusively</b> 123:25 <b>excuse</b> 66:13 68:9 80:18 85:24 86:12 97:21 102:2 143:8 155:7 156:1,1	170:14 180:11,21 <b>executive</b> 37:10,15 37:24 38:10 157:24 <b>executives</b> 44:23 48:22,23 <b>exhibit</b> 8:13,15,16 8:18,19 16:10,13 16:15 17:14,21,24 40:14,15 79:15,18 85:13,21,23 90:23 90:24 93:4 125:10 125:11,14 126:5,6 126:12,20 127:10 127:19 128:12 195:1,5,7 <b>exhibits</b> 16:12 79:21 85:13 195:2 <b>exist</b> 39:21 <b>expect</b> 43:8,12,19 66:24 <b>experience</b> 34:2 38:18 41:9,11 43:23 54:17 59:4 59:6 86:7 98:24 99:20 100:15 107:8,24 112:23 112:25 113:12 115:7 132:17 133:19,21 134:23 135:2,12 136:1 165:21 166:1,25 168:10 172:22 173:3 <b>expert</b> 33:1,5,9,20 40:20,24 51:23 65:23,25 66:3,9 67:10 68:3 69:16 69:21,24,25 71:19 74:10,11 76:7,11 76:16,18 78:21,21	79:10,10,13 80:21 80:22 86:7,20 89:4,9 98:24 99:7 108:7 110:16 111:18 135:23,25 155:10 157:23 159:21 169:21 170:5 172:10,19 173:20 <b>expertise</b> 35:15 163:15 <b>experts</b> 36:1 87:11 97:21 197:9 <b>expires</b> 200:18 <b>explain</b> 88:24 <b>explanation</b> 108:13 109:17,20 <b>explore</b> 71:17 111:16,21 <b>express</b> 6:8 121:6 <b>expressed</b> 62:2,17 <b>expressly</b> 116:19 118:2,12,19,24 119:3,6,13,19 120:3,7,20 173:1 <b>extensively</b> 182:13 <b>extent</b> 70:13 74:7 89:2 133:13 141:14 <b>extract</b> 44:10
<b>f</b>			
<b>facing</b> 24:12 <b>fact</b> 98:15,16 102:19 108:10,18 109:3 113:22 114:1,7 130:23 131:11,12 137:25 149:5 162:9 163:16 186:2 <b>factor</b> 104:4,24			

[factors - form]

Page 15

<b>factors</b>	104:20,22 149:23	127:6,6 128:7 130:5,25 131:6,13	112:25	<b>floor</b>	3:10 4:10,15 4:19	
<b>facts</b>	148:24 186:2	131:16,19,24	<b>fields</b>	44:4 97:23 193:23,23	<b>florham</b>	4:24
<b>faculty</b>	19:13,15 19:16,19 20:8	132:3,5,7,11 133:16 134:11	<b>fifth</b>	98:12,14	<b>florida</b>	1:16 10:8 13:23,23 37:2 200:2,7,17 201:2,6 201:23
<b>failing</b>	66:18	136:16,21 138:14	<b>fifty</b>	89:15,15 167:23	<b>focus</b>	25:23 43:20 57:6,18 83:16,19 84:1,3,7
<b>fails</b>	202:19	139:7,10,13,14,16	<b>file</b>	88:10 131:20 131:22 132:3	<b>focused</b>	58:15
<b>fair</b>	15:8 73:8	139:22 140:2,5	<b>filed</b>	132:5 165:18 185:12	<b>folks</b>	11:25 12:13 14:24 15:2 154:7
<b>faith</b>	69:7	141:13 143:17	<b>files</b>	106:5	<b>follow</b>	112:10 120:11 133:6 154:5 175:17 182:10 185:1 189:19
<b>falkenberg</b>	5:13	144:2,3,3 145:23	<b>filling</b>	27:17,18	<b>followed</b>	128:6 168:25 174:20
<b>falkenberggives.c...</b>	5:14	146:6,9,12,17 148:1 149:21	<b>fin</b>	114:17	<b>fin</b>	190:3 191:23
<b>fall</b>	27:22 64:1	150:2,9,16,24	<b>finally</b>	26:2 32:25 47:21	<b>finish</b>	14:16,18 33:15 68:9 127:25 146:14 156:3
<b>falls</b>	3:16 100:20	151:15,17 152:22	<b>financially</b>	201:15	<b>following</b>	151:15 151:22 162:1,2,10 167:16 168:2
<b>false</b>	137:1 145:1,2 145:3,17 147:1,13 161:19 170:3	153:11 155:16 157:8 161:4 162:16 163:11	<b>find</b>	64:5 126:23	<b>follows</b>	174:7 189:25
<b>familiar</b>	41:14,21 55:7 127:1	164:23 166:11,13 166:16,22 168:14	<b>findings</b>	29:18	<b>food</b>	190:8 191:5,11 196:21
<b>familiarity</b>	132:17 136:2	171:14,15,22 172:10,17 173:8,8	<b>fine</b>	80:7 165:20	<b>footnote</b>	100:6 107:6 107:15 112:15
<b>far</b>	86:11 89:19 90:1	174:14 175:10 176:3,10 177:25	<b>finish</b>	14:16,18 33:15 68:9 127:25 146:14 156:3	<b>foregoing</b>	123:17 124:4,10 124:20 125:4,15
<b>fax</b>	4:20	179:4 181:16	<b>finished</b>	156:6,10 184:24 186:8 188:12	<b>form</b>	201:9 204:5
<b>fd</b>	52:19 57:5 58:25 60:2 65:20 65:22,25 66:4,6,10 67:18 68:5,7 72:3 74:22,25 75:4,12 75:17,19,23 93:15 93:18 95:20,23,24 97:6 101:21 105:17,20 106:4,6 106:25 107:1,3 109:14 110:8,13 111:1 112:11 115:10,14,17 116:25 117:7,17 118:15,22 119:11 119:16 120:12 121:4,12 126:19	183:20 <b>fd</b> 's 116:7 150:11 176:6,14	<b>firm</b>	7:1 13:12	<b>form</b>	39:9 52:25 53:6,12 54:7,16 55:10,19 56:5,23 57:8,19 58:16 60:6,16 61:13,16
<b>february</b>	34:19	<b>february</b> 34:19 200:13 202:3	<b>first</b>	11:4 13:6,15 14:6 17:13 19:18		
<b>federal</b>	69:3,16,22	74:10 176:1,7,8,10 176:15 177:8,16	<b>five</b>	21:16 43:13,19 44:25 85:14 90:4 90:9 138:3,4,10,20 139:24 140:2,5 142:7,11		
<b>feel</b>	85:2	177:21,25 178:12 178:22 179:1,5,8	<b>fl</b>	168:4 183:7 189:9		
<b>fees</b>	89:1,6,18,25	181:5,8,9,14,18 182:24	<b>flaherty</b>	6:3		
<b>fhs</b>	4:11,16	50:17,19 98:25		2:14		
<b>field</b>	22:17 47:8,9			10:22 90:21		

[form - generic]

Page 16

61:25 62:15,23 65:24 66:5 67:13 74:23 75:6,14,20 76:1,9,17,25 80:19 81:3 82:13 84:10 84:25 85:4 86:17 86:25 94:7,15,21 94:24 96:14,20,25 99:3 100:24 102:5 106:13 108:10,20 109:4,13 110:12 110:23 111:5 112:6 115:2,21 116:10,24 117:5 117:12,21 118:3 120:23 122:1,21 123:4,11,24 124:2 124:22 125:6 129:12 132:16,21 133:2,20 134:5,16 134:22 135:1,18 136:9,14 137:6,15 138:12,22 140:15 143:4,15 144:12 144:18 145:12,18 147:4,14,19 148:4 148:13,19,24 149:7 150:4 152:18 159:1,18 160:8 161:1 163:18 166:19 167:4 168:13,22 169:14 171:24 172:5 174:6,22 176:2 178:1 181:6 181:11 184:1 191:13 192:15 193:15 194:24 195:19 196:16 197:5,7,17 198:11 198:24	<b>formal</b> 19:9 59:24 60:14,25 61:2,22 62:5,13,22,24 77:6 77:8,22 <b>formally</b> 162:5 <b>format</b> 193:17 <b>formed</b> 99:23 <b>former</b> 184:18 <b>forming</b> 85:7 86:4 108:6 <b>formularies</b> 60:11 100:4,8 101:25 102:10 103:4 151:25 162:5 <b>formulary</b> 29:24 30:8 31:15 33:22 33:23 34:6 35:2,3 41:5,6 54:3,5 57:1 57:13 58:19 67:17 75:9 76:4,13,20 83:13 100:2,5 102:3,4,15,21 103:5,8,16 104:17 105:14,15 115:25 116:4 118:6 120:1 120:14 121:15 126:6,7,12 127:1,3 127:7,12,16,18,21 128:5,7 132:12 134:10 136:15,18 136:19,21 147:7 151:9,15,19 152:5 152:13 153:14 157:18 158:5,12 158:18,25 159:12 160:24 161:12,25 162:4,10 164:2,22 <b>formulating</b> 99:17 100:11 106:23 109:11 137:12 153:5,18	<b>forth</b> 32:2 123:7 130:25 132:7 139:19 145:22 151:16 164:23 168:14 189:2 <b>forward</b> 73:13,17 151:24 <b>found</b> 93:18,21 137:4,14 139:22 141:4 148:8 160:21 164:4 165:15 174:5 175:25 176:6 198:4 <b>foundation</b> 116:2 137:6 167:4,5 178:15 181:6,18 187:1 194:25 195:20 196:17 198:13,25 <b>foundational</b> 115:5 <b>founder</b> 36:2 <b>four</b> 18:10 98:10 185:24 <b>fourth</b> 93:10 98:12 98:14 104:8 <b>frame</b> 25:16 26:5 29:5 37:12,16 82:22 137:1,3,5,8 137:13,20,21,22 138:7,8 150:22 151:20 161:13 162:13 164:3,4 171:6 <b>francisco</b> 34:14 <b>frank</b> 4:9 <b>free</b> 85:2 <b>front</b> 40:14,19,21 79:19 93:4	<b>fulbright</b> 4:6 6:19 <b>fulfilled</b> 55:13,21 123:13 173:9 <b>full</b> 13:18,20 28:20 89:25 <b>fully</b> 59:10 <b>function</b> 41:15 51:11 105:3 <b>functions</b> 24:6 40:10 41:7,20 49:14 91:15 100:21 104:18 115:5 128:4 133:22,23 152:25 155:15 <b>further</b> 8:6,6,7,7 11:3 12:6 98:1,5 154:4,6 184:9 185:3 189:15,21 191:20 194:17,17 199:7 201:12 <b>g</b> <b>g</b> 10:1 <b>ga</b> 6:11 <b>gain</b> 67:21 112:8 127:5 <b>gannon</b> 3:9 <b>gateway</b> 3:9 <b>gathering</b> 92:4 <b>gcoan</b> 4:20 <b>general</b> 131:25 153:17 171:4 185:13 193:22 <b>generally</b> 195:9 <b>generic</b> 53:22,22 67:17,18,20 75:5,8 75:12,16 76:3,12 76:19 92:10 105:24 106:5 107:2 112:10 113:7,11,15
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[generic - hansel]

Page 17

114:11,21,22 115:6,17 116:3,9 121:12 127:2,21 131:21 132:4 133:3,9,12 134:6 134:11,20 142:4 143:8,9,16 144:6 144:13 151:12 153:12 157:3 164:2 173:12 183:1,16 <b>generics</b> 30:25 66:1 67:6 <b>geoffrey</b> 4:18 <b>geoppinger</b> 5:1 8:5 175:16,20,22 176:5 177:3,4 178:6,18,23 179:2 179:13,21,23 180:4,11,15,16,23 181:2,12,23 182:11,17 183:9 184:4 <b>getting</b> 66:14 92:15 127:23 175:21 197:3 <b>gg352672</b> 200:18 <b>ghansel</b> 2:16 202:2 <b>gisleson</b> 5:5 8:4,6 73:5,5 154:10,15 154:16 156:1,2,5 156:12,14 157:5 158:3 159:3,7,8,15 159:22 160:3,13 161:5 163:20 165:1,11 166:20 167:7 168:17 169:8,12 170:1,14 170:18 171:1,19 171:21 172:2,8 173:22 174:2,18	174:24 175:12 185:8 188:20 189:19,20,22 191:15,16,21 192:9,16,22 193:6 193:19 194:7,11 196:14 198:10 <b>give</b> 13:2 15:21 16:13 31:22 65:5 115:14 125:17,24 156:9 196:22 <b>given</b> 56:18,21 57:6,17,20,24 59:24 60:1,9,14,21 61:23 62:5,13,22 81:25 173:8 204:9 <b>giving</b> 150:17 197:4 <b>glad</b> 182:5 <b>glenn</b> 2:6 10:20 12:7 <b>gmail.com</b> 3:16 <b>go</b> 11:3 14:3 15:13 16:9 17:10,21,22 66:19 68:18 72:23 72:23 74:13 85:12 90:22 99:9 114:4 114:20 127:15 128:16 138:19 153:23 156:16 162:12 164:21 180:3 181:19 <b>goes</b> 101:11,16 161:18 173:24 <b>going</b> 10:3 15:7 16:9,11,19,24 17:10 59:18 66:19 68:8,22,24 70:23 73:1 80:18 90:22 93:7,7,9 104:17 115:13 122:11	128:19 151:20 152:1 153:25 169:12,24 170:20 <b>good</b> 10:3 13:10 13:11 45:12,13 47:20 48:8 57:4 57:12 80:9 93:3 173:23 175:21 <b>goodness</b> 83:6 <b>gordon</b> 4:10,14 <b>governmental</b> 198:20 <b>graduation</b> 19:8 <b>great</b> 14:23 126:1 171:18 181:25 <b>greenberg</b> 2:3,7 4:23 6:10 10:18 10:20 13:13 <b>greg</b> 4:22 10:22 12:7,7 68:24 90:11,12 <b>gregory</b> 2:14 202:1 <b>ground</b> 14:3 69:6 70:1 <b>grounds</b> 16:24 <b>group</b> 12:5 36:15 40:6 57:18 <b>groups</b> 33:14 36:14 57:20 60:18 168:7 <b>gtlaw.com</b> 2:4 4:24 6:12 <b>guarantee</b> 88:25 123:6 <b>guess</b> 11:4 74:8 83:20 <b>guidance</b> 22:4 30:10 33:21 37:20 37:25 49:10,14	57:10 59:6 139:18 140:5 161:4 162:16 163:12 166:11 168:16 175:10 <b>guidelines</b> 31:8,16 31:17 32:1,2 48:17,24 49:3,7,20 50:2,4 51:4,8,15 51:22 103:18 124:15 182:9 <b>h</b> <b>h</b> 8:11 203:3 <b>half</b> 38:18 142:7 142:11 <b>hand</b> 12:25 200:9 200:12 <b>handed</b> 125:14 <b>handle</b> 161:9 166:15 <b>hang</b> 186:19 <b>hansel</b> 2:14 8:6 10:22,22 11:3,17 12:21 16:24 33:15 39:9 52:25 53:6 53:12 54:7,16 55:10,19 56:5,23 57:8,19 58:16 59:14 60:6,16 61:13,16,25 62:6 62:15,23 63:7 65:24 66:5,11,13 67:2,12 68:9,13,24 68:24 70:18,22,25 73:21,23 74:23 75:6,14,20 76:1,9 76:17,25 79:20,24 80:6,18 81:3 82:13 84:10,24 85:4,16,20 86:17 86:25 90:11,12
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**[hansel - identification]**

Page 18

92:19 94:7,15,21	186:9,15,22 187:4	<b>heller</b> 7:10	<b>hour</b> 88:22,22
94:24 96:14,20,25	187:21 188:2,15	<b>hello</b> 111:23	89:17
99:3 100:24 101:4	189:6,9,15 191:13	<b>help</b> 31:14	<b>hourly</b> 88:18,18
102:5 106:13,18	191:18 192:6,12	<b>helpful</b> 156:12	88:21 89:7
108:20 109:13	192:14,18 193:4	186:21	<b>hours</b> 27:16 69:11
110:12,23 111:5	193:15 194:5,8,24	<b>helping</b> 56:25	69:12 89:11,13,15
111:19 112:6	195:5,19 196:16	<b>henry</b> 3:4	89:16 183:7
115:2,21 116:10	196:25 197:7,17	<b>hereto</b> 204:7	<b>house</b> 102:21
116:24 117:5,12	198:1,11,24 199:9	<b>hetero</b> 6:17,17	<b>household</b> 188:11
117:21 118:3	199:11 202:1	<b>hey</b> 154:16	<b>huahai</b> 4:4
120:23 121:18,24	<b>happening</b> 49:17	<b>hi</b> 10:24	<b>huh</b> 13:14 14:9,14
122:21 123:4,11	86:9	<b>hill</b> 6:14	14:14 23:12 29:8
123:24 124:14,22	<b>happy</b> 69:24 80:3	<b>hillwallack.com</b>	45:15 47:4 79:17
125:6,20 126:1	<b>harassing</b> 66:17	6:16	80:13 84:6 85:25
128:15 129:12	70:3 71:8	<b>hilton</b> 5:16	95:9 98:20 103:14
132:16,21 133:2	<b>harassment</b> 66:15	<b>hinshaw</b> 4:19	104:9 105:8
133:20 134:5,16	<b>harkins</b> 6:9	<b>hinshawlaw.com</b>	109:16 123:18
134:22 135:1,16	<b>harkinss</b> 6:12	4:20	144:11 145:4
135:21 136:9,14	<b>haverfield</b> 3:15	<b>hired</b> 155:9	146:3,16 151:13
137:6,15 138:12	<b>head</b> 14:12 28:12	<b>hlavach</b> 1:16	177:13
138:22 140:15	28:23 30:4	10:10 200:6,17	<b>human</b> 93:22 96:4
143:4,15 144:12	<b>health</b> 25:14,21	201:5,22	141:1,2 145:20
144:18 145:12,18	32:9 39:5 42:7	<b>hmo</b> 97:22	166:23
147:4,14,19 148:4	47:22 51:3,11	<b>hold</b> 19:21 25:4,16	<b>humana</b> 5:15
148:13,19,24	64:18 168:24	26:5 64:22 65:13	<b>hundred</b> 167:21
149:7 150:4	169:10 170:7	65:22,25 66:3,9	<b>hurt</b> 161:17
152:18 156:1,3,7	<b>healthcare</b> 31:8	183:3 197:2	<b>husch</b> 6:6
156:20 157:20	35:12,25 39:23	<b>holder</b> 187:15	<b>huschblackwell....</b>
159:1,4,13,18,24	44:23 45:13 46:5	<b>holders</b> 143:25	6:7
160:8 161:1	46:11,19 47:6,8,9	<b>holding</b> 74:9	<b>hypercholesterol...</b>
163:18 164:19	48:22,23 49:19,23	<b>hollis</b> 7:1	26:15
165:6 166:18	83:3	<b>home</b> 35:6,7,10	<b>hypertension</b>
167:4 168:13,22	<b>healthy</b> 173:23	<b>honik</b> 6:1,1 68:18	168:24
169:12 170:14,20	<b>hear</b> 14:25,25 15:5	68:19	<b>i</b>
171:17,24 172:5	43:1 89:14 143:21	<b>honiklaw.com</b> 6:3	<b>iarc</b> 96:12,15
173:16 174:6,22	154:11 194:7	<b>hopefully</b> 182:18	<b>iarc's</b> 96:6
176:2 177:1 178:1	<b>heard</b> 154:17	<b>horse</b> 173:18,22	<b>idea</b> 72:15 159:10
178:14,23 179:23	155:10 188:23	<b>hospital</b> 23:22	<b>identical</b> 144:13
180:6,21 181:6,15	<b>hearing</b> 184:8	24:2,11 26:1	145:24
182:5,9 184:1,8,24	<b>held</b> 10:7 19:22	<b>hospitality</b> 199:14	<b>identification</b>
185:2,4,20 186:5,8	34:22 37:8 59:5		16:15 17:24 85:21

[identification - intention]

Page 19

90:24 125:11	113:23 124:10	<b>indianapolis</b> 5:10	118:24 119:9,15
191:5	127:17 159:19	<b>indicated</b> 159:20	119:19 120:8,11
<b>identified</b> 135:13	168:6 193:23	183:14	124:17 125:1,2
<b>identify</b> 97:17	<b>included</b> 29:13,23	<b>indicating</b> 193:12	130:15,21,23
158:4,11,23 159:2	30:6,23 32:12	<b>indication</b> 101:23	131:2,3 133:14,23
159:9,16,23 160:4	80:21 86:10 99:18	<b>indirectly</b> 196:11	139:22 151:24
160:14 161:10,23	102:14 103:8,10	<b>individual</b> 171:13	154:23 158:21
162:9 163:16,25	136:20 155:21	193:21	160:1 165:15,23
164:6,12 165:17	162:3	<b>individually</b>	165:25 171:11
175:6 193:20	<b>includes</b> 27:17	150:12,15 169:22	172:20 175:2,3,8
194:2	30:8,25 57:9	<b>individuals</b> 38:2,4	175:11 193:3,7
<b>identifying</b> 160:17	84:17 113:20	46:3 48:7 60:18	<b>ingersoll</b> 3:5
184:13,17	117:8 126:7 129:1	157:13 193:21	<b>ingredient</b> 188:12
<b>il</b> 5:14	130:11 133:11	<b>industries</b> 3:13	<b>initially</b> 29:6
<b>immunizations</b>	145:23 173:10	157:10	47:25 91:7
21:22	<b>including</b> 27:23	<b>industry</b> 30:11	<b>initiated</b> 139:13
<b>immunizer</b> 21:15	32:9 39:5,24 41:5	36:1,1 38:19 44:3	139:15
21:19	55:23 56:3 74:7	44:10 49:15 50:24	<b>inquiry</b> 103:7
<b>impermissible</b>	84:18 93:15	86:19 91:17 95:16	<b>insight</b> 128:5
70:14	100:15 114:14	107:9 124:16	<b>institute</b> 64:22
<b>implement</b> 173:14	123:13 124:12	125:2 127:4 128:2	<b>instruct</b> 170:20
<b>implemented</b>	136:1,2,25 151:17	132:1 133:23	<b>insurance</b> 185:15
166:9 174:4	163:24 191:22	136:2 139:7	<b>insured</b> 33:12,14
190:20 192:3	<b>inclusion</b> 54:3	152:20 153:2	36:14 38:22 39:8
<b>importance</b> 169:6	58:18 116:4	157:14 163:15	39:13,24 159:19
<b>important</b> 14:10	127:12 136:19	165:21 193:17	168:6
14:15 152:1 193:8	147:7 149:16	<b>infant</b> 21:16	<b>intake</b> 166:17
<b>impurities</b> 129:2,4	151:9,14,19 152:5	<b>information</b> 17:19	167:1 168:11,19
129:10,18,22	152:13 153:13	42:9,10 44:10,15	<b>integral</b> 41:15
130:2,6,12 148:3	158:25	50:14,16,21,23,24	<b>integration</b> 32:8
167:2 190:22	<b>inclusive</b> 201:10	50:24 53:21 64:6	<b>intend</b> 70:7,9 74:3
191:5,12 192:5	<b>income</b> 79:9	64:10 76:15 83:12	76:16 177:24
<b>inaccurate</b> 144:14	<b>inconsistent</b> 95:12	86:19 91:17 92:4	<b>intended</b> 26:15,16
145:21	143:18	93:18 95:23 96:15	54:1 71:25 72:2
<b>inappropriate</b>	<b>incorporate</b> 31:13	97:14 101:6	97:6 188:10
71:15 73:8 111:15	<b>incorporated</b> 55:3	103:19,20 105:2	<b>intending</b> 74:20
<b>include</b> 44:11	<b>incurred</b> 89:2,6	106:25 107:1,3	75:3,11
47:19 62:24 82:4	90:1	108:11 109:14,18	<b>intends</b> 71:21
86:18 91:16	<b>indemnity</b> 30:12	112:9 113:12,18	<b>intent</b> 73:19
103:22,24 104:7	<b>independently</b>	116:25 117:2,7	<b>intention</b> 73:12
104:18 105:4,5,6	96:9,11	118:15,17,18,21	

[interactions - keep]

Page 20

<b>interactions</b>	60:22 60:25 61:7	33:18 39:11 43:3 43:7 53:2,8,14	143:6,20,24 144:16,23 145:14	113:14 114:9,10 115:7 129:18
<b>interchangeable</b>	129:10,17 130:6,8	54:9,20 55:15 56:1,7 57:2,14,23	146:1 147:9,17,22 148:6,15,22 149:3	<b>ives</b> 5:12,13
<b>interested</b>	201:16	58:20 59:15,22	149:10 150:6	<b>j</b>
<b>interfere</b>	15:25 71:16	60:3,12,20 61:14 61:19 62:3,8,11,20	153:4 154:4 171:18 180:13	<b>january</b> 1:11 10:4 188:9 200:10
<b>interim</b>	140:2	63:2,9 66:2,7,16	182:13 184:10,12	201:17
<b>internal</b>	25:22	67:8,24 68:2,11,15	184:23,25 185:18	<b>jason</b> 4:14
<b>international</b>	96:5	71:5 72:17 73:22	186:4,13 187:17	<b>javier</b> 7:11 10:9
<b>interns</b>	27:23	74:15,19 75:2,10	187:25 188:14	<b>jeez</b> 20:13
<b>interpretation</b>	85:3	75:18,22 76:6,14	189:5 199:10	<b>jeff</b> 5:1 175:22
<b>interrupted</b>	68:14 156:8	76:22 77:2 79:22 80:1,8,10,24 81:4	<b>isidron</b> 2:4	<b>jersey</b> 1:1 3:10
<b>interrupting</b>	180:9	82:17 84:12 85:1	<b>island</b> 19:12,19 20:7 21:3	<b>jgeoppinger</b> 5:3
<b>intimately</b>	41:14	85:5,14,17,22	<b>issue</b> 49:20 50:2	<b>jmestre</b> 2:12
<b>introduction</b>	20:20	86:22 87:3 92:15	50:12 51:4,14,21	<b>jobs</b> 58:4
<b>investigation</b>	190:6 191:3 192:2	92:20 93:2,25	66:16 90:18 92:1	<b>john</b> 5:5 73:5
<b>invited</b>	46:13,14 46:15	94:3,12,18,22 95:2	103:8 156:24	154:16 189:20
<b>invoice</b>	89:25 90:2 90:18,20	95:4 96:17,22	159:13 169:15	<b>john's</b> 18:1,14
<b>invoices</b>	87:14,16	97:1 99:4 101:2,8	173:20 181:25	24:24 25:19
<b>involve</b>	54:17	101:12 102:7	197:9	<b>john.gisleson</b> 5:7
<b>involved</b>	41:24 42:25 76:3 82:15 184:14,18	106:16,19,21	<b>issued</b> 51:8 87:14	<b>join</b> 46:13 48:7
<b>involves</b>	67:18 95:23	108:22 109:1,2,15	87:16 121:3,4	<b>joined</b> 19:12
<b>involving</b>	75:24 76:8	110:17,20,24	139:10,11,14,16	<b>jorge</b> 2:10 11:5
<b>irbesartan</b>	1:4	111:14,20 112:1	139:17 157:8	26:18 70:16
<b>irrelevant</b>	139:3 168:9	112:12 115:9	163:11 166:16	199:14
<b>isidro</b>	2:2 8:4,5 10:18,18 11:12 12:6,11,23 13:9,12 17:4,5 26:23 27:4	116:6,14 117:3,10	<b>issues</b> 158:5,18	<b>journal</b> 100:1,3
		117:19,24 118:9	159:12 168:24	<b>july</b> 93:14 97:23
		120:15,18 121:2	169:5	186:11
		121:20 122:5,11	<b>item</b> 80:14 98:7	<b>k</b>
		123:1,8,15 124:1	107:14 110:10,13	<b>kali</b> 1:10 8:3 10:6
		124:18 125:3,8,10	111:2 114:2	10:6 13:5,20
		125:13,24 126:4	140:23 142:25	200:7 201:8 202:5
		128:11,16,23	143:2,7,13	203:2,24 204:2,4
		129:14 132:19,23	<b>items</b> 17:23 33:2	204:12
		133:4 134:1,13,18	33:20 34:5 35:16	<b>kanner</b> 2:18 5:17
		134:24 135:3,19	80:17 97:17,24	<b>kapke</b> 5:9
		136:4,11,23	98:12 99:10	<b>kara</b> 5:9
		137:11,18 138:16	103:24 107:22	<b>kbi</b> 5:14
		139:1 140:17	108:1,5 110:14	<b>keep</b> 41:18 58:9
				73:19 79:24 88:5

[keep - listed]

Page 21

88:9,12 <b>keeping</b> 49:15 133:22 <b>kept</b> 89:8 <b>kerner</b> 10:20,20 11:22 26:21 27:1 70:19,23 71:1,3 73:3,11 85:19 92:21 154:12 175:15 179:25 180:8,14 181:21 182:7 184:6 186:7 186:19 189:8,18 199:8 <b>kind</b> 30:19 151:23 <b>kinds</b> 159:11,14 <b>klinges</b> 3:19 <b>know</b> 15:5,6,11,19 16:21 17:2,3 19:22 22:7 33:11 40:5 41:21,22 44:4 48:16 49:6 51:10,18,20 53:20 54:4 65:9 66:22 69:21 72:20 90:12 90:15 95:22 99:8 129:15 130:5,7 137:10 138:2,24 140:2,5 142:7,11 142:15,19 144:1 148:16,23 149:5 149:11 152:1,10 155:25 156:13 157:9 159:5 161:9 163:8 170:15 171:2,15,22 174:19 175:1,21 180:2,7 183:5 190:3,20,23,25 191:1 199:6	<b>knowing</b> 98:25 107:9 <b>knowledge</b> 95:16 99:9,20 100:15 103:3 107:8,24 114:14 135:2 136:2 148:7,11 150:10 151:3 171:9 172:15 177:22 192:10,25 198:16 <b>knowledgeable</b> 53:23,24 133:22 <b>known</b> 101:19 131:12 152:21 <b>kristin</b> 5:12 <b>ks</b> 7:2	<b>law</b> 7:1 13:12 69:22 <b>law.com</b> 5:18 <b>lawsuit</b> 155:9 165:18 172:19 185:12 188:21 <b>layne</b> 5:16 <b>Ibresnahan</b> 5:22 7:6 <b>lead</b> 27:8 <b>leading</b> 46:4,11 49:19 186:7 187:19 <b>learn</b> 155:3,19 157:6 190:12 <b>leave</b> 35:4 80:6 <b>left</b> 183:6 <b>legal</b> 60:7 67:12 69:17,18 70:2 74:12 100:25 121:18 122:2 123:3 164:19 165:6 178:2 187:18 202:23 <b>length</b> 137:24 <b>leon</b> 1:14 2:11,22 10:7 <b>letter</b> 8:10,18 91:3 91:4 <b>letting</b> 156:13 <b>level</b> 168:19 <b>levels</b> 93:22 140:25 145:20 146:2,5,6 148:7,12 148:14 166:17,23 167:2 168:12 <b>lewis</b> 3:1 5:5 73:6 <b>liability</b> 1:4 97:25 <b>license</b> 21:18 22:25 23:18,18 46:2 65:12,15	<b>licensed</b> 21:8 46:3 48:6,7 155:13 <b>licenses</b> 65:13 <b>licensure</b> 55:23 115:3 <b>light</b> 12:16 <b>likewise</b> 32:21 <b>limit</b> 69:4,6 71:16 <b>limited</b> 74:7 182:11 <b>limits</b> 140:2 <b>line</b> 169:13 203:4 203:7,10,13,16,19 <b>linked</b> 31:15 <b>linkedin</b> 90:17 <b>lipid</b> 25:10 26:14 <b>list</b> 17:23 25:1 26:2 44:4,18 63:23 86:3,6,14 98:1 101:20 112:8 120:24 152:22 185:21 <b>listed</b> 17:7 25:13 37:14 43:24 44:2 45:6,10 46:1,3 47:7,18 48:6 57:22 62:1,4,13,17 63:15 85:8,10 86:21 97:14,17,20 98:19 99:23 107:4 107:5,11,17 108:1 108:8 110:10 111:2 112:8 113:13,14 115:7 115:23 116:5 119:24 122:24,25 133:15 135:5,7,15 140:24 141:17,20 145:25 173:7 183:1,22,22
<b>1</b>			
Veritext Legal Solutions			

## [listing - materials]

Page 22

<b>listing</b> 132:10	144:13 151:1	<b>making</b> 67:16	143:8,9 144:6
<b>lists</b> 63:18,20	162:3,18,19	68:16 91:12,20	150:12 151:5
104:13 105:19	<b>look</b> 16:19,21 90:6	96:13 97:11 103:7	154:17,21 160:24
115:22 133:10,15	97:16 125:17	111:15 112:13	161:19 164:7
135:22	134:7 149:23	114:25 118:1	165:4 170:2
<b>literature</b> 49:14	172:10	121:5,25 123:9	183:13 196:24
91:16 103:17	<b>looked</b> 129:25	124:3 131:9,14,17	<b>manufacturer's</b>
<b>litigation</b> 1:5 12:3	172:3	132:25 133:19	116:19 118:12
51:15 68:4 71:21	<b>looking</b> 64:16	134:2 195:7	120:3,20 121:13
72:1,3 74:21 75:4	67:23 102:8	<b>manage</b> 25:12,24	121:13 124:24
76:8,16,24 78:20	126:22 192:16	27:15 31:14 32:7	147:1,13 162:10
78:22 79:11 86:5	<b>looks</b> 40:15	35:3 40:10 43:5	165:5 173:4
86:16,24 87:6,9,12	<b>losartan</b> 1:4 202:4	161:7,16 166:4	<b>manufacturers</b>
87:15 88:4,20	203:1 204:1	191:23	117:13 119:14
89:12 90:5,10,13	<b>lot</b> 128:5 148:8	<b>managed</b> 22:17	124:5 128:25
90:16,19 91:5,8,14	188:23	38:19 45:17 49:2	130:10,13,19
91:22,23 92:1,5,8	<b>lots</b> 148:16 149:12	49:6,9,18 100:1,3	131:2,11 136:25
92:13 100:23	186:24	171:3 189:24	144:25 145:16
106:11 111:18	<b>louis</b> 6:7	190:7,12 191:4,11	160:21 173:1
152:4,8,12,16	<b>lowering</b> 26:14	<b>management</b>	<b>manufacturing</b>
153:5,18 184:14	<b>luke</b> 5:20	21:24,25 22:18	172:23
184:18,21	<b>lunch</b> 92:16	24:1,7,10,10,10	<b>mark</b> 16:9,13
<b>little</b> 16:13 66:14	<b>lwalsh</b> 3:11	28:12,23 29:23,24	17:21 85:12,14
154:5	<b>m</b>	29:25 30:4 38:15	90:22 125:10
<b>llc</b> 3:8,13 6:1 36:8	<b>m</b> 189:23	38:21 39:5,23	<b>marked</b> 16:15
36:18	<b>ma</b> 4:19	41:6,6 64:21	17:24 85:21 90:24
<b>llp</b> 1:14 2:10,14,22	<b>ma'am</b> 197:11	100:4 102:20	125:11
3:15,19 4:1,6,10	<b>mada</b> 98:5,8,15	160:6	<b>market</b> 31:4 53:22
4:14,19 5:5,9,13	108:9,18 109:3	<b>managing</b> 127:16	<b>marketed</b> 152:22
6:6,14,19	113:21 114:2	171:4	<b>marketing</b> 101:22
<b>loading</b> 16:12	185:25 186:1,10	<b>manner</b> 69:7	133:17
<b>local</b> 3:17,18	186:23 189:23,24	<b>manufactured</b>	<b>mass</b> 6:2
<b>lockdown</b> 83:8	190:3,7,12,20	188:11	<b>matches</b> 144:14
<b>long</b> 18:8,20 19:12	<b>main</b> 149:15	<b>manufacturer</b>	<b>materials</b> 65:2
19:18,21 20:7	<b>maine</b> 2:17 10:23	67:19 106:5 117:1	80:22 85:7,10
21:3 66:20 72:5,9	185:14	117:6 118:14	86:3,6,9,11,15,20
72:15 92:21 97:5	<b>maintain</b> 160:10	119:9,22 120:10	91:7,9,12,17,22,25
137:24 185:6	<b>major</b> 18:4,16	123:6,13 124:6	99:6,21,22,23
189:8	<b>majors</b> 77:13 78:1	126:9,15,21 127:9	135:22 185:22,24
<b>longer</b> 70:7 72:17	78:4	131:19 132:2,5,10	185:25
72:23 73:20 144:6		140:11 141:25	

[matter - murtha]

Page 23

<b>matter</b> 13:2 33:1,4 33:8,20	124:8 128:3 129:7 138:25 142:6	<b>mention</b> 23:25 38:17 103:15 125:5	<b>missed</b> 99:11 <b>missing</b> 180:18 <b>mitigate</b> 169:4 <b>mo</b> 6:7
<b>matters</b> 75:23 139:16	143:12 147:5,16 156:24 166:24	<b>mentioned</b> 16:11 21:19 22:10 23:19 32:4 43:15 54:12	<b>moment</b> 45:8 86:2 125:17,21 127:23 156:9 177:10 184:25
<b>mckesson</b> 4:8 6:21	169:2 170:10	<b>mentions</b> 125:19 143:1	<b>money</b> 188:10 195:14 196:4,5,10 196:21
<b>mdl</b> 1:4	193:10,12 195:24	<b>meridian</b> 5:10	<b>monies</b> 87:24
<b>mean</b> 12:8 15:7 21:20 22:6,21 32:16,19 33:4,19 34:5 77:8 84:21 88:1,24 93:20 94:5 108:17 109:20 119:6 120:9 121:16 129:4 139:10,17 140:13,21 146:4 146:10 149:8 151:11 159:1 162:17,19 163:4 164:15 166:12 172:21	<b>medications</b> 15:24 30:24 31:1 34:6 55:5 84:17 92:11 126:8,9 127:11 133:16 143:18 146:25 147:12,21 148:2,3 153:13 155:16,16,16,17 161:20 163:23,24 170:3,6,7 173:25	<b>merit</b> 31:11,12 104:6,22 105:2	<b>monitored</b> 168:25
<b>meaning</b> 14:11 59:2 114:22	<b>medicine</b> 25:22	<b>message</b> 12:9	<b>monographs</b> 104:1
<b>means</b> 21:21 121:21 123:12 124:6 132:11 149:5 173:7,8	<b>meet</b> 26:16 45:8 67:20 127:4 131:22 132:6,11 151:14 183:18	<b>mestre</b> 1:14 2:10 2:10,22 11:5 26:17,18,22,25 27:3 127:23 179:19 180:2,7 183:3,8	<b>monroe</b> 5:13
<b>media</b> 10:5	<b>meeting</b> 13:15	<b>met</b> 124:25 134:11 136:15,16,17,21 145:22 183:20	<b>months</b> 12:9
<b>medical</b> 22:24 25:2,9,11,23 28:5 32:2,8,14,19,23 78:14 79:7 86:23 87:1,5 103:17	<b>meetings</b> 104:10	<b>miami</b> 1:15 2:11 2:23 10:8 200:3 201:3	<b>morgan</b> 5:5 73:6 <b>morganlewis.com</b> 5:7
<b>medication</b> 21:24 21:25 22:8,8 24:18,20 28:1 34:1,2,4 53:21 54:4 61:18 93:23 94:6,10 95:10 116:12 117:14,15 119:10,21,23	<b>meets</b> 57:4 58:24 116:3 150:19 151:16 183:17	<b>middle</b> 180:4,9 <b>mind</b> 72:4,7 159:2 <b>minor</b> 78:4 <b>minors</b> 18:6,18 78:2	<b>moring</b> 5:21 7:5 <b>morning</b> 10:3 13:10,11,16 14:23 73:15,17
<b>minutes</b> 41:17,25 42:6 70:24 183:7 189:9	<b>minute</b> 73:20 179:23	<b>morris</b> 3:19 4:1 <b>motion</b> 69:3 <b>move</b> 69:6 73:13 73:17 84:24 151:24 169:24 173:21	
<b>members</b> 61:9 103:4,8	<b>minutes</b> 41:17,25 42:6 70:24 183:7 189:9	<b>msp</b> 42:22 97:21 98:15 114:6 185:15,17 186:1,2 186:11 187:5,11 187:14,22	
<b>memorized</b> 179:8 179:10,15	<b>mischaracterizes</b> 135:16	<b>msp's</b> 187:6,8 191:1,4,10 192:3	
	<b>misheard</b> 107:13	<b>mtm</b> 21:17,23	
	<b>misrepresented</b> 145:20	<b>mulberry</b> 3:10 <b>murtha</b> 6:14,14	

[mute - object]

Page 24

<b>mute</b> 186:21	<b>ne</b> 6:11	<b>nitrosamines</b> 52:1	<b>nw</b> 5:21 7:5
<b>mylan</b> 4:12,12,17	<b>nearby</b> 80:6	52:4,7 56:19	<b>ny</b> 2:4,8
4:17	<b>necessarily</b> 198:20	140:3,6 157:7,19	<b>o</b>
<b>n</b>	<b>necessary</b> 11:9,21	160:22 168:12,19	<b>o</b> 3:6 9:14 10:1
<b>n</b> 2:1 8:1 9:14 10:1	73:20 80:22 166:4	170:6 174:5	180:25
180:25	174:21 204:6	<b>nj</b> 4:24 6:15	<b>oath</b> 8:8 15:20
<b>n.w.</b> 4:2	<b>need</b> 15:10 70:23	<b>nodding</b> 14:12	200:1
<b>name</b> 10:9,16	72:23,23 153:21	<b>non</b> 46:3,3 48:7	<b>object</b> 16:24 39:9
13:12,18,20 31:23	169:24 180:5	88:21 89:11,17,19	52:25 53:6,12
114:23 143:11	199:2	171:7,14	54:7,16 55:10,19
144:7 154:16	<b>needed</b> 22:18	<b>nonresponsive</b>	56:5,23 57:8,19
155:6 159:23	29:14,16 35:15	73:10,25	58:16 60:6,16
163:25 194:19	119:23 124:25	<b>nope</b> 140:7	61:13,16,25 62:15
<b>name's</b> 175:22	166:6 169:11	<b>norris</b> 6:18	62:23 65:24 66:5
<b>named</b> 154:17	170:7	<b>northwell</b> 25:14	67:13 69:2 74:23
<b>names</b> 33:11	<b>needs</b> 36:15 85:14	25:21	75:6,14,20 76:1,9
141:18 159:3	125:25	<b>norton</b> 4:6 6:19	76:17,25 80:18,19
160:4,14,17	<b>negatively</b> 165:9	<b>nortonrosefulbri...</b>	81:3 82:13 84:10
184:13,17 193:21	<b>never</b> 57:6 60:14	4:7 6:20	84:25 85:4 86:17
194:2	78:24 80:25 81:5	<b>notary</b> 1:16 200:6	86:25 94:7,15,21
<b>nature</b> 41:2,3,11	81:8,11,14,17	200:17 201:5,22	94:24 96:14,20,25
50:20 169:2	127:7 169:1	204:13,19	99:3 100:24 102:5
<b>navigating</b> 100:3	170:10	<b>note</b> 71:22 102:19	106:13 108:20
<b>nc</b> 3:6	<b>new</b> 1:1 2:4,8,19	202:10	109:13 110:12,23
<b>nda</b> 107:2 118:14	3:10 5:18 13:25	<b>noted</b> 27:1 204:7	111:5 112:6 115:2
141:21	21:6,17 22:10,15	<b>notes</b> 17:25 88:11	115:21 116:10,24
<b>ndc</b> 162:20,21,21	23:2,10,17 27:6	201:11	117:5,12,21 118:3
163:3	35:7 53:22,22	<b>notice</b> 8:14 16:7	120:23 122:1,21
<b>ndcs</b> 98:13,19	55:23 65:12	16:10 79:16	123:4,11,24
162:3,22 190:21	155:13	<b>notification</b> 8:10	124:22 125:6
<b>ndea</b> 93:16 96:10	<b>newark</b> 3:10	<b>nulled</b> 144:5	129:12 132:16,21
97:2 138:21	<b>nilda</b> 2:2 10:18	<b>number</b> 6:2 10:5	133:2,20 134:5,16
139:25 141:21	13:12	12:13 16:20 17:22	134:22 135:1,17
142:12,20 148:8	<b>nitrosamine</b> 148:2	80:14,17 85:13	136:9 137:6,15
148:18 149:13	154:25 155:10,19	89:11 93:4 141:21	138:12,22 140:15
155:8	155:25 163:17	155:7 157:20	143:4,15 144:12
<b>ndma</b> 93:17 96:10	164:1,9,14,18	168:8 183:12	144:18 145:12,18
97:3 138:2,10	165:5,20 167:2	184:2	147:4,14,19 148:4
141:21 142:8,16	190:21 191:5,12	<b>numerous</b> 69:14	148:13,19,24
148:8,17 149:13	192:4	111:7	149:7 152:18
155:8			159:1,18 160:8

[object - orange]

Page 25

161:1 163:18	<b>obtained</b>	77:17,20	57:15 61:20 62:4
166:19 167:4,5		128:7	62:21 79:15 80:5
168:13,22 169:14	<b>obtaining</b>	74:21	80:8,11,14,25
171:24 172:5		75:4,12,24	81:17 83:9 84:21
174:6,22 176:2	<b>obvious</b>	107:21	85:12 86:11 88:18
178:1,14,23 181:6	<b>occasion</b>	172:9	89:5 90:4 92:20
181:11 184:1	<b>occasions</b>	69:14	96:18 97:2 98:1,4
191:13 192:14		82:18	98:7,21 100:14,17
193:15 194:24	<b>occur</b>	138:17	101:13,15,18
195:19 196:16		171:8	105:6 106:10
197:5,7,17 198:11	<b>october</b>	90:7	107:7,10,20 108:1
198:24	<b>offer</b>	36:10,12	108:9 109:25
<b>objection</b>		70:6 71:21,25	110:3 112:21
63:7 66:11 67:12		72:2 74:20 75:3	113:7,25 114:2,5,9
68:13 84:10,24		75:11 76:16	114:20 118:18
101:4 111:15	<b>offered</b>	69:23	119:3 125:9 126:2
112:2 121:18		175:10	126:24 127:8,19
122:1,3 124:14	<b>offering</b>	30:18,25	130:9 132:24
125:20 135:16,21		31:7 68:3 71:19	133:5,8 134:14
136:14 150:4		76:7 92:5 97:3	136:12 140:9,21
157:20 159:24	<b>official</b>	11:19	141:22 145:5
164:19 165:6		200:9,12	147:10 148:23
166:18 169:12	<b>oh</b>	3:16 10:15	150:16 156:23
171:17 173:16		26:22 43:11 79:22	162:8 177:10,23
185:18 186:4,7,13		85:17	180:15 181:20
187:1,17,18,25	<b>ohio</b>	5:2	182:20 185:2
188:14 189:5	<b>okay</b>	12:21,24	195:13 196:3,9
191:18 192:12		14:3 15:10,14,19	197:6 199:7
193:4 196:25,25		16:3,6,9,19 17:10	<b>once</b> 82:20 105:3
198:1		17:21,25 19:1,6,12	119:21 125:23
<b>objections</b>		19:23 20:6,15,24	134:8,9 166:3
15:1 68:16 71:14		21:19 23:9 24:17	<b>one's</b> 12:10
182:1,3 188:24		24:22 25:1,8	<b>ones</b> 31:20 42:8
197:3		26:25,25 27:10	48:10,14 61:1,2
<b>obligation</b>		28:22 29:1,4 32:7	77:15 100:13
<b>obligations</b>		33:17 34:13 37:4	119:19 130:13,23
118:13 120:4,21		37:18 38:4,7,9	141:4,6
173:2,5		40:2,13,21,24 41:2	<b>ongoing</b> 41:6,18
<b>obtain</b>		44:14,18 45:9,14	41:20 152:24
126:18 131:1		46:4 47:1,5,16	<b>onset</b> 87:17
		48:2,16 51:20,25	

[orange - part]

Page 26

115:22 116:5 119:24 120:5,24 121:3,6,12 132:10 133:10,15 134:7 149:16 152:9,17 152:21 153:6,8,17 153:19 173:6,7 178:8 181:16 183:15,22 <b>order</b> 67:20 127:5 130:25 149:25,25 <b>ordinarily</b> 186:16 <b>ordonez</b> 7:11 10:9 <b>organization</b> 22:23 23:16 38:3 40:1 45:5,20,25 46:8 47:17 48:5 48:10,13 49:19 82:15 124:16,17 <b>organization's</b> 47:19 64:13 <b>organizations</b> 44:19 48:19 49:15 51:14,21 64:18 <b>orientation</b> 20:19 63:8 <b>original</b> 72:21 137:23 143:10 144:1 156:16,19 <b>orleans</b> 2:19 5:18 <b>outreach</b> 29:15 <b>outset</b> 87:19 <b>outside</b> 59:23 60:13,18 61:11,23 62:13,21 78:5 106:10,17 137:20 158:1 169:14,17 174:23 182:3 191:13 196:21 <b>overall</b> 22:3,9 38:20	<b>overland</b> 7:2 <b>oversee</b> 19:25 38:2 <b>overseeing</b> 38:20 <b>oversight</b> 23:8 <b>oxford</b> 4:10,15 5:6  <b>p</b> <b>p</b> 2:1,1 9:14 10:1 <b>p&amp;2</b> 104:10 <b>p&amp;t</b> 41:9,11,14,17 41:20,22,25 42:4,5 42:20 102:16,18 102:22,24 103:15 104:5,10,15,21 105:1 116:18 118:4,4,11,19,25 119:12 120:19 121:3,5,14 124:4 124:11 126:6,11 127:3,15 128:4 132:9,18 133:6,14 133:21 134:7,17 134:23 136:3 151:8,18,22 152:4 152:8 153:12 173:1 <b>p&amp;ts</b> 119:18 <b>p.m.</b> 1:12 74:17 92:22,25 128:18 128:21 153:24 154:2 189:13 199:16,18 <b>pa</b> 3:2,20 4:11,15 5:6 <b>pachios</b> 2:14 <b>page</b> 16:20 63:16 63:17 64:16 80:11 93:9 98:1,7,11 103:13,13 107:5 125:22 127:11,20 127:20 155:7,7 171:25 203:4,7,10	203:13,16,19 <b>paged</b> 125:21 <b>pages</b> 201:10 <b>paid</b> 65:5 146:25 147:11,15 161:20 161:21 163:8,16 163:25 164:5,16 164:21,24 165:13 165:18 170:3,4,6 173:25 174:1,13 185:10,17 186:24 187:3,5 188:9 190:2,11,19 191:7 192:1 193:2,9,10 193:13 195:10 196:7,7 197:12 198:3,21 <b>pain</b> 24:1,6,10 <b>panagos</b> 1:10 8:3 10:6 13:5,10,20 27:5 44:18 59:23 68:3 69:11 70:3 74:6,13,20 93:3 110:25 140:19 149:15 153:15 154:4 156:3 157:22 169:21 185:5 189:16 199:12 200:7 201:8 202:5 203:2 203:24 204:2,4,12 <b>panagos's</b> 92:16 111:17 199:3 <b>pandemic</b> 12:16 <b>panel</b> 26:3,9,10 <b>papers</b> 79:19 <b>paragraph</b> 93:10 93:12,14 103:12 104:8 105:7 111:13 112:14,18 112:22 113:2,5,7	114:20 115:1,16 116:18,23 117:25 118:11,23 119:3,7 119:12,18 121:11 121:17 123:10,17 123:22 124:3,10 124:13,20 128:13 128:24 129:5 130:10 131:10,14 131:17 132:9,14 132:25 133:8 134:3 135:9 136:5 136:6,8,13,24 140:9,14,22 141:22 143:3 145:11,15 146:24 147:11 172:25 <b>paragraphs</b> 97:8 97:12,18 99:2,15 99:18,24 100:7,12 100:18,19,22 101:9 106:22,24 108:11,15 109:5,7 109:12 110:3,7 135:14 <b>paramount</b> 169:6 <b>pardon</b> 172:13 190:24 <b>park</b> 4:24 7:2 <b>part</b> 11:15 12:15 19:16 20:15,20 28:4 29:7,9,10 30:24 31:6 34:6 44:4 49:13,15 54:18,21,23 61:9 69:4 76:21 77:11 77:13,24 101:24
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[part - pharmacist]

Page 27

105:5,6,15 106:9 106:14 113:23 124:2 126:10 127:7,14 133:15 133:24 144:4 150:3,5 155:17 162:4 163:22 172:12,21 173:19 182:5,9 188:19,21 <b>partial</b> 156:21 <b>participant</b> 122:9 122:14,18 187:1 187:18 192:25 <b>participate</b> 24:5 26:10 <b>participating</b> 25:23 <b>participation</b> 25:10,11 <b>particular</b> 35:19 42:25 43:16 69:15 111:13 144:20 148:8 162:3 174:20 176:23 185:10 196:4,13 <b>particularly</b> 74:2 <b>parties</b> 9:16 69:23 201:13,14 <b>parts</b> 93:11 <b>party</b> 38:22 39:1,2 39:22 40:3,4,8 44:15 69:5,9 75:8 97:25 98:15,16 108:9,18 109:3 113:21,22 114:6 136:19 157:10 159:16,20 160:5 166:25 185:10 186:1,2 187:9,12 188:3,4,7	<b>pass</b> 79:18 <b>patience</b> 185:5 194:13 <b>patient</b> 22:19 24:11,12,16 28:2,3 30:7 32:3 60:22 60:22,24,24 61:1,1 61:4,6,6,17,18 162:20 163:5 164:13 168:25 171:11,12 <b>patients</b> 21:22 22:2 24:7,14 25:12,24 27:20 29:16 31:9 148:1 161:8,17 168:20 170:7,9,12,17,19 170:21,24 171:6 190:7 194:2 <b>pattern</b> 71:13 <b>pause</b> 16:13 26:17 <b>pay</b> 163:1,4,14 174:1 <b>payer</b> 39:1,2 40:8 <b>payers</b> 39:22 75:8 159:20 <b>payment</b> 43:8,12 43:19 88:25 165:10 192:19 <b>payments</b> 31:2 43:11 185:25 195:15,17 198:19 <b>payor</b> 98:15,16 108:9,18 109:3 113:22 114:6 157:10 159:16 186:1,2 188:4 <b>payors</b> 136:19 160:5 166:25 185:10 187:9,12 188:4,7	<b>pbi</b> 64:21 <b>pbm</b> 32:23 33:1,8 33:9 38:15,20 100:13 102:4 103:5,9 157:10 164:12 196:23 <b>pbmi</b> 64:17 <b>pbms</b> 33:5 42:7 99:15 101:24,24 102:11 115:18 160:15 162:12 167:1 <b>pc</b> 3:5 <b>peer</b> 103:17 <b>pelta</b> 7:10 <b>pending</b> 15:12 122:9 180:1,12 183:4 <b>pennsylvania</b> 5:21 7:5 <b>pensacola</b> 6:3 <b>people</b> 38:12 57:18,21 65:9 126:16 <b>percent</b> 79:9 <b>percentage</b> 79:12 <b>perfect</b> 6:2 <b>perform</b> 155:25 <b>performance</b> 113:9,17 114:13 <b>performed</b> 159:17 <b>performing</b> 115:4 <b>period</b> 28:4,20 165:13 171:8 174:3 <b>periods</b> 170:13 <b>permit</b> 70:5 <b>permits</b> 183:16 <b>permitted</b> 21:21 143:25 158:1 173:17 182:15	<b>person</b> 12:13 33:6 126:25 <b>personal</b> 64:13 88:10 130:22 166:1 172:22 188:10 <b>personally</b> 49:11 51:7 95:7 151:18 157:16 <b>pertaining</b> 87:5 158:5 <b>pertains</b> 78:7 104:19 108:13 133:3,5 151:24 156:25 157:15 161:7 184:2 <b>pertinent</b> 101:6,7 160:2 <b>pharm</b> 55:12 <b>pharm.d</b> 202:5 203:2,24 204:2,4 204:12 <b>pharm.d.</b> 1:10 8:3 13:5 200:8 201:8 <b>pharma</b> 3:13 <b>pharmaceutical</b> 3:13 52:20 66:4 66:10 68:5 74:22 75:5,13,25 79:4 83:10 172:23 188:12 <b>pharmaceuticals</b> 3:3,12 4:13,17,21 <b>pharmacist</b> 21:5,8 21:17,23 23:7 27:5,8,9,10,14 28:11,15 29:12 34:3 41:13 45:12 47:20 48:8 53:19 55:8 61:18 76:2 82:8 83:21 84:16
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## [pharmacist - prescription]

Page 28

115:4 152:25	<b>pietragallo</b> 4:10	<b>player</b> 113:22	<b>portland</b> 2:15
155:13,14 157:1	4:14	<b>plaza</b> 6:6	<b>position</b> 19:21
171:13 172:15	<b>pietragallo.com</b>	<b>please</b> 10:11,13,15	24:4,5,13 26:6
<b>pharmacists</b> 25:24	4:11,16	12:25 13:18 15:5	35:4 67:9
47:11,22 50:2,12	<b>pigeonhole</b> 111:9	15:5 33:15 43:2,3	<b>possession</b> 16:23
50:18,25 51:4,11	<b>pittsburgh</b> 4:11,15	48:20 53:1 60:4	17:8 81:22
<b>pharmacologist</b>	5:6	62:9 67:1,2,25	<b>possessions</b> 188:8
78:16	<b>place</b> 1:14 89:24	75:21 85:2 87:1	<b>possible</b> 42:24
<b>pharmacy</b> 5:15	161:3,3,16 162:3	94:1,25 95:2	44:14 83:23 84:8
18:17 19:4,5,20	170:9 174:7	97:16 101:1,2	102:16
20:1,1,3,11,19,20	<b>placed</b> 76:20	106:16,19 108:21	<b>possibly</b> 163:24
20:22 22:18,20	136:15 164:22	112:1,3 120:15	172:20
24:25,25 25:7,12	<b>placement</b> 54:5	121:23 122:12	<b>post</b> 24:16
25:19 27:15,16,22	76:5,12 104:17	156:3,8,18,20	<b>potential</b> 82:3
30:7 31:6 35:1	121:14 128:4	173:21 179:20	84:18 148:2
36:11,12,15,22	132:12 136:18	181:19 182:16,16	<b>potentially</b> 129:19
37:21,22 38:1,19	<b>plaintiff</b> 114:1	191:17 194:8	<b>power</b> 58:6,8,9
41:3,8 43:8,12,19	<b>plaintiff's</b> 71:14	<b>plus</b> 82:24 136:1	72:24 73:1
45:17,21 48:1,18	92:12 98:15,16	<b>point</b> 80:2 99:9,11	<b>ppm</b> 102:22
48:25 49:2,4,7,8	108:9,18 109:3	120:2,19 134:12	<b>practice</b> 48:18,24
49:17,21 50:3,6,9	113:22 114:7	142:15,19 161:14	49:4,7,16,18,21
50:13,15,19 51:1,5	186:1,2	162:14,25 163:1	50:2,5,9,13 51:1,5
51:9 53:21 54:24	<b>plaintiffs</b> 2:13,20	172:18 190:20	51:9 103:17,18
55:2,4,12,13,21,22	2:24 5:19 6:4	192:4 195:10	127:4 133:23
58:18 59:5 60:11	10:25 11:2,6	<b>pointed</b> 99:12	152:20
63:8,13,21 64:21	12:12,18 26:19	<b>points</b> 58:6,8,9	<b>precise</b> 34:17
65:12 77:16 78:3	69:2,10,23 70:5	<b>ponce</b> 1:14 2:11,22	138:23
78:8,9 83:3,12	71:19 73:24 87:6	10:7	<b>preface</b> 107:11
86:19 91:16 95:16	87:8,12 89:25	<b>populate</b> 88:16	<b>prefer</b> 140:18
97:8 99:20 100:4	181:24 185:7,14	<b>population</b> 31:14	178:16
124:17 155:21	<b>plan</b> 30:8,16 41:7	32:9	<b>preliminaries</b> 11:4
157:2 162:20	83:13 132:13	<b>populations</b> 26:15	<b>preparing</b> 172:3
<b>pharmist</b> 29:12	193:9,13 195:10	<b>portion</b> 43:4 60:5	176:21 177:6
<b>philadelphia</b> 3:20	196:7 197:12	62:10 67:4 68:1	<b>prescribe</b> 24:17,20
<b>phone</b> 189:18	198:3	70:12 94:2 95:3	<b>prescriber</b> 169:1
<b>phrase</b> 146:2	<b>plans</b> 42:7	101:3 106:20	170:11 171:12
<b>physicians</b> 25:24	<b>platforms</b> 43:24	108:25 110:22	<b>prescribers</b> 29:14
<b>picked</b> 11:18	<b>play</b> 23:11	112:5 120:17	<b>prescription</b> 30:1
128:9	<b>played</b> 108:6	122:20 143:23	30:12,15,18,20
<b>piedmont</b> 6:11	110:15	156:22 193:10,10	31:13 32:8,13,16
		194:10	39:6,24 44:12

## [prescription - program]

Page 29

57:11 58:13 59:7 62:19 76:21 100:8 102:12,12 105:16 105:24 121:14 132:13 148:2 149:25 150:8 157:2 160:5 163:4 <b>prescriptions</b> 27:17,18,19 44:3 189:25 190:7 <b>presence</b> 97:2 129:1 130:12 138:2 139:25 140:10 141:25 142:5 145:19 147:20 157:6,18 160:22 163:17 164:1,14 174:5 183:12,19 <b>present</b> 7:9 9:16 37:17 109:24 129:19 138:25 140:23,24 188:9 <b>presentation</b> 57:6 57:17,24 61:4 62:5 64:24,25 65:3,5,7,10 83:11 83:16,18 84:2 <b>presentations</b> 56:18,21 58:7,11 58:14 59:24 60:1 60:9,14,21,25 61:23 62:1,13,18 62:22,24 81:23,25 <b>presented</b> 116:25 117:1 <b>presenter</b> 64:17 64:23 <b>presenting</b> 129:1 <b>president</b> 37:10,11 37:13,15,24	157:24,24 <b>preti</b> 2:14 10:22 90:21 <b>preti.com</b> 2:16 202:2 <b>pretty</b> 173:18 <b>preventing</b> 130:11 <b>previous</b> 82:9,10 111:11 135:17 141:12 <b>previously</b> 154:7 <b>primarily</b> 35:10 36:14 38:21 82:14 104:15 <b>primary</b> 25:10 104:22,24 105:3 <b>princeton</b> 6:15 <b>principles</b> 77:23 100:5 <b>prinston</b> 4:4 <b>prior</b> 11:13,23 17:6 19:8 29:13 29:17,24 35:2 91:12 93:12 95:6 110:19,21 120:15 142:15,19 150:24 165:18 176:20 196:9 198:9 <b>privilege</b> 16:25 <b>probable</b> 93:22 96:4 140:25 141:2 145:20 166:23 <b>probably</b> 182:1 <b>problem</b> 12:19 72:11 <b>procedure</b> 69:3,16 <b>procedures</b> 15:16 24:7,8 <b>process</b> 34:3 66:4 66:6,9 67:5,7,10 67:11,18 68:4,6	72:3 74:21,24 75:4,12,16,19,24 76:2,8 100:6 106:14 107:2,6,9 107:16,25 110:8 111:1 112:7,16 120:12 126:7,10 127:1,2,3,13,14,17 128:3,3,6 133:6 141:13 152:24 153:9,22 162:23 162:23 177:6 <b>processes</b> 129:1 130:11 <b>processing</b> 40:10 42:25 43:5 112:10 <b>producing</b> 17:18 <b>product</b> 16:25 27:25,25 30:24 56:22 57:3,7,18 58:15,17,21,23,23 59:2,24 60:10,14 61:24 62:19 94:11 95:11,13 104:1 115:23 122:24,25 133:12 138:1 140:12,25 141:17 142:2,3,5,6,8,12 142:16,20 143:9 143:10,11,16 149:16,17 150:1,2 150:12,19 162:22 171:7,14 178:4 179:7,12 183:2,14 183:22 <b>product's</b> 150:16 <b>products</b> 1:4 52:20 57:11 58:17 60:1,10,17 62:25 66:1,4,10 68:5 74:22 75:5,13,16	75:25 76:3 83:10 101:20,21 105:19 105:25 144:25 145:1,17 150:8 151:1,5 153:10 155:2 160:23 161:25 163:9 172:1,23 178:9 179:16 180:20 181:17 <b>profession</b> 64:23 86:8 172:12,14 <b>professional</b> 13:21 13:22 21:12 44:19 45:13 46:2 48:6,9 48:12,13,19 51:13 51:21 52:3,23 53:9,16 54:15 57:9 65:13,18 82:7,8 84:16 91:16,19 95:17 99:20 100:16,21 112:24 117:22 138:13 169:20 186:17 <b>professionally</b> 73:15 <b>professionals</b> 35:25 125:2 128:2 <b>professor</b> 63:21 <b>proffered</b> 111:18 173:19 <b>profile</b> 22:4,9 90:17 <b>program</b> 20:1,3,5 20:11,23 30:8,12 30:15,22,23 31:2 31:11 37:21,22 38:1 41:8 54:24 55:4 57:11 58:13 59:7 62:19 63:13
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[program - rate]

Page 30

q	r
<p><b>programs</b> 31:4,6 31:18 41:7 60:11 83:4</p> <p><b>progress</b> 20:4 41:19</p> <p><b>prohibit</b> 160:17</p> <p><b>project</b> 35:19</p> <p><b>promise</b> 58:23 122:22 123:5 126:15,17,21 127:9 145:21</p> <p><b>promises</b> 57:21 58:17</p> <p><b>promulgated</b> 48:18</p> <p><b>promulgates</b> 176:11</p> <p><b>proof</b> 70:6</p> <p><b>proper</b> 30:1</p> <p><b>properly</b> 22:7</p> <p><b>proposed</b> 103:4 111:24 188:3,18</p> <p><b>proto</b> 50:8</p> <p><b>protocol</b> 51:4,14 181:24 182:2,4</p> <p><b>protocols</b> 48:17,23 49:3,20 50:5 51:7 51:22</p> <p><b>provide</b> 22:4 33:21,23 34:3 36:22 37:20,25 42:11 49:10 50:14 51:10 115:18 117:2,7 118:15 119:9 120:11 130:15 131:1,2,3 142:22 158:20</p> <p><b>provided</b> 59:12 69:25 80:20 118:21 119:1,22</p> <p><b>provides</b> 128:5</p> <p><b>providing</b> 30:9 51:23 57:10 59:6 79:13 80:23 119:14 130:21</p> <p><b>public</b> 1:16 96:15 109:18 112:9 125:1 139:22 154:23 160:20 175:1,5,8,11 200:7 200:17 201:6,22 204:19</p> <p><b>publications</b> 56:8 56:13,16 81:15</p> <p><b>publicized</b> 157:9 161:14</p> <p><b>published</b> 52:6,9 52:12,15,18 56:11 81:9,12 105:17</p> <p><b>pulls</b> 59:3</p> <p><b>punished</b> 65:17</p> <p><b>purported</b> 137:14 181:9</p> <p><b>purpose</b> 11:15 95:21 124:12</p> <p><b>purposes</b> 95:14 96:19 97:18 99:12 113:21 114:11,17 123:21 135:8</p> <p><b>pursuant</b> 16:7 69:2</p> <p><b>pursued</b> 18:11</p> <p><b>pursuing</b> 18:23 19:6 24:24 25:7 25:19</p> <p><b>put</b> 161:2,3,16 162:2,15 174:7</p> <p><b>putting</b> 31:18 135:23,25</p>	<p>165:3 177:5 178:9 178:16 180:1,11 180:17,19 181:11 182:8,18 183:4 184:3 191:17 192:17,18,23 193:24 195:8 196:17 197:11,18 198:7,7</p> <p><b>question's</b> 162:8</p> <p><b>questioned</b> 69:11 137:23</p> <p><b>questioning</b> 73:7 74:4,6 169:13 170:15 182:15</p> <p><b>questions</b> 11:14 15:2,8,15 33:7,23 68:12,15 71:7 72:6,9,10,18 73:2 73:14 74:3 154:6 154:9,11 170:21 170:24 173:17 175:12,17 180:5,8 182:10,11,12 184:5,7,9,10,23 185:6,9 188:23 189:7,15 194:12 194:15 199:7</p> <p><b>quick</b> 11:22</p> <p><b>quickly</b> 73:18</p> <p><b>quite</b> 107:21</p>

[rating - regards]

Page 31

<b>rating</b>	121:11 134:8,8 150:17	146:22,22,23 150:24 151:22	111:14 128:19,22 153:25 154:3	183:21 202:6 <b>referencing</b>
<b>reach</b>	74:4	157:8,10,11,14	175:18 180:12	119:20 120:5
<b>read</b>	16:3 43:3,4 60:3,5 62:8,10 67:1,2,4,24 68:1 93:25 94:2 95:2,3 101:2,3 106:16,20 108:22,23,25 110:20,22 112:1,4 112:5 120:15,17 121:8,23 122:12 122:17,20 140:16 140:18 143:20,23 156:22 172:17,20 194:6,8,10 199:11 202:9 204:5	160:25 161:2,7,12 161:14,17 162:1,2 162:11,14 163:11 166:3,5,6,10,14,22 167:11,16 168:2,5 168:15 169:4,5 171:3,4 173:15 174:8,20 175:7,10 185:8 189:25 190:4,8,12 191:4 191:11 194:3	189:11,14 199:17 201:11 <b>recorded</b> 10:5 11:8,11,13,24 12:2 12:4	201:11 <b>referring</b> 34:10 53:25 61:7 64:13 95:23,25 109:21
<b>reading</b>	9:17	<b>recalled</b> 98:6,8 114:3 148:17 149:12 186:10	<b>recording</b> 11:15 12:9,20 26:20	110:1 111:2,3 112:7 129:21
<b>really</b>	11:21 66:20 116:2 128:5 134:12 170:15 174:17	<b>recalls</b> 191:4,23 <b>receipt</b> 202:18 <b>receive</b> 87:17 124:7	<b>recordkeeping</b> 89:10 <b>records</b> 64:9,12,13 64:14 86:23 87:2 87:5 88:13 196:1	131:25 136:6 137:1 141:3,19 146:7,17 173:12 176:23,24 195:3 196:14 197:18,19
<b>reason</b>	12:15 14:10,14 15:20 72:10 202:11 203:6,9,12,15,18 203:21	<b>received</b> 18:1 19:1 78:10,12 87:19	<b>recovery</b> 185:15 <b>recross</b> 8:5 184:11	198:9,23
<b>reasonable</b>	74:5	<b>receiving</b> 44:11	<b>redirect</b> 8:5 72:8 175:19	<b>refers</b> 31:5 34:1 64:20 118:4 123:5 124:4,4 127:13
<b>reasons</b>	35:5,9 149:19 170:7	<b>recitation</b> 20:21 63:11,25	<b>reduce</b> 90:1,3	136:8,10
<b>rebate</b>	196:23 197:19,23,24 198:8,16	<b>recognize</b> 90:25	<b>reefer</b> 4:14	<b>reflect</b> 111:14
<b>rebates</b>	198:20	<b>recollection</b> 83:17 125:18	<b>refer</b> 31:25 33:25 61:6 79:20 80:2	150:25 194:22 196:3 197:15,24
<b>recall</b>	45:8,11 55:17 56:2 64:4 83:7,14,24 84:8,23 93:15 98:13,18 125:7 139:10,11 139:12,14,15,16 139:18,23 146:21	<b>recommend</b> 157:16	<b>reference</b> 30:12 104:14 123:16,16 124:9,11 134:12	<b>reflected</b> 195:25 196:12 198:8,22
		<b>recommendation</b> 168:15	138:19 139:13 140:24 141:9,17 145:25 173:6 183:1	<b>reflects</b> 195:13 196:5,7 197:12
		<b>recommendations</b>	<b>referenced</b> 31:16 94:10 95:11,12	<b>refresh</b> 125:18
		49:10 51:10 162:16 166:13	98:12 107:12,19	<b>refund</b> 164:7,13 164:15 165:18,22
		<b>record</b> 10:4 11:3 13:19 59:18,21	115:23 122:24,25 124:19 125:4,15	185:11 188:19,20 197:16,19
		68:18,22,23,25,25	139:7 141:8 146:7	<b>refusal</b> 160:9
		71:6 74:16,18	146:9,12,18 155:4	<b>refusing</b> 160:4,12
		88:5,9 92:23 93:1	174:16 177:10	<b>regard</b> 60:9
				<b>regarding</b> 52:1,4 54:15 61:17 62:18 62:25 72:2 82:1 185:9
				<b>regards</b> 20:2 24:7 24:8 29:25 35:1

[regards - report]

Page 32

37:21 44:9 50:14 50:25 51:11 56:25 57:21 79:13 86:20 134:20 155:24 157:3 <b>registered</b> 21:5,8 <b>regulates</b> 131:19 <b>regulation</b> 115:10 131:24 <b>regulation's</b> 179:9 <b>regulations</b> 95:21 95:24 115:10,14 116:21 118:13 120:4,22 131:13 131:16 132:11 135:4 173:3,5 176:1,7,9,10,11,15 177:8,17,21,25 178:13,22 179:1,5 181:5,8,10,14,18 182:24 <b>regulatory</b> 52:19 65:22 <b>reimbursable</b> 132:12 <b>reimburse</b> 76:21 136:20 <b>reimbursed</b> 147:8 165:4 193:13 <b>reimbursement</b> 39:4,23 104:19 <b>reiterate</b> 74:8 <b>relabeler</b> 188:13 <b>relate</b> 57:3 124:20 <b>related</b> 33:24 35:16 41:8 50:18 54:4 59:8 64:22 78:9 82:4 117:9 196:11,12 <b>relates</b> 1:6 55:4	<b>relating</b> 48:17,24 49:3,7 50:2,5,8 51:5 52:6,12,15,18 52:23 53:4,10 56:8,18,21 61:24 63:3 91:22,25 <b>relative</b> 201:12,14 <b>relevant</b> 50:17 84:19 91:17 99:13 101:6 105:12,13 <b>relied</b> 85:7 86:3 96:16 107:3,8 111:8,11,13 112:15 114:10 118:17,19,21,25 119:1 153:12 <b>relies</b> 95:22 120:3 120:20 <b>rely</b> 67:15,15 75:8 76:11,18 92:10 96:18 99:17 100:11 106:23 107:10 109:11 114:5,6,17 115:6 116:19 118:2,12 119:13,19 120:7 132:10 133:14 135:14 144:6 173:1 <b>relying</b> 95:14,20 96:6,12 97:11,14 97:18 113:1,4,15 113:20 114:25 115:3 118:1 123:9 123:21 124:2 130:17 131:7,9,11 131:13,17 132:25 133:18 134:2 135:8 <b>remain</b> 89:24	<b>remaining</b> 20:4 <b>remember</b> 33:15 46:23,24 47:14 122:10,15 141:18 188:25 <b>remembers</b> 122:14 <b>remove</b> 157:17 <b>removed</b> 160:24 161:11,24 162:5 162:10 <b>render</b> 67:14,22 92:9 164:11 174:11 190:15 <b>rendered</b> 77:5 140:10 141:25 183:13 <b>rendering</b> 43:21 75:7 155:23 163:7 <b>repackager</b> 188:13 <b>repatha</b> 26:3,11 26:13,14 <b>repeat</b> 74:1 101:1 108:21 122:3 <b>repeated</b> 111:9 <b>repeatedly</b> 69:13 70:1 71:10 84:11 111:6 124:23 <b>repetitive</b> 192:15 <b>rephrase</b> 17:4 56:12 87:4,21 129:8 131:8 137:17 141:23 145:7 150:22 158:15 <b>report</b> 8:17,20 17:14,18 23:25 38:3,8,12,17 40:20 40:24 76:9 79:14 80:21,23 85:9,13	86:1,14 89:4,8,9 92:16 93:4,8,10,12 94:14 95:8 96:13 97:19,22 99:5,7,14 99:19,25 100:7,12 101:15 102:20 103:1,12 106:8,11 106:17,22,24 107:4 108:12 109:5,7,12 110:11 111:3,9,12,17,22 112:14,19,22 113:2,5 114:10 117:25 118:11,24 119:4,7 121:21,22 122:7 123:2,10,23 124:3,21 128:13 128:24 129:9,16 129:21,24 130:2,3 131:18 132:15 133:1 134:3 135:9 135:10,14,23 136:8,13 137:7,8 137:13,20 138:10 138:20 139:7,11 139:24 140:8,9,22 141:20,22 142:10 142:14,18,21,22 143:3,14 144:10 145:6,10,11,16 146:24 148:10,20 155:4,22 159:21 161:15 163:7,19 164:10 169:15,18 169:19 170:16 171:10 172:4,6,25 173:17,19 174:11 174:23 176:16,21 176:24 177:6,11 177:15,20,24 178:3,7,12,21
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[report - right]

Page 33

182:23 183:25	194:10 201:9	<b>respected</b> 124:16	<b>resume</b> 17:13
185:21,22 188:5	<b>requesting</b> 130:14	153:9	<b>retained</b> 78:21
188:25 189:2,3	130:20	<b>respective</b> 9:16	90:4 92:7 172:9
191:6 197:1,8,9	<b>requests</b> 16:20,25	<b>respond</b> 71:3	172:18
199:1,3 201:7	17:8 29:14,15,16	166:4	<b>retainer</b> 87:17,18
<b>reported</b> 1:16 20:2	<b>required</b> 22:13	<b>responded</b> 17:2	87:21,23 88:24
38:5 138:3,4,5,14	24:5 45:4,24	<b>response</b> 35:17	89:2,3,4,21,24
143:17 144:2,3	46:10 47:5,16	62:8 80:20 95:6	90:2,3
157:18	48:4 55:11,20	110:18,25 112:14	<b>return</b> 202:13,17
<b>reporter</b> 8:9 10:10	103:15 131:2,3,5	117:11 141:19	<b>review</b> 22:8 29:13
10:11,13 11:10,20	133:24 204:13	142:17 146:4	29:17 32:12 49:14
12:24 14:7,19	<b>requirement</b>	166:13 174:20	86:2 91:8,12,22,25
68:19 108:23	106:9 119:25	175:7 190:4	102:3 104:10
183:7 194:5,8	136:17	<b>responsibilities</b>	126:11 149:1
200:6 201:1,5	<b>requirements</b>	19:23,25 23:4,6	151:4 163:23
<b>reports</b> 80:15	22:12,14 23:2,17	26:8 27:13 29:11	176:12,17,18,20
81:12	45:6 46:1 47:18	29:20,22 30:3,6	177:6 182:2
<b>represent</b> 10:17	52:19 55:14,21,24	34:24 35:14 36:20	186:12,17 190:5,8
13:13 124:5	56:3 119:23	37:18,23 53:16	191:19,24 192:7
141:16 154:17	123:13 124:25	57:16 86:18 153:1	201:8 202:7
175:23	130:25 131:22	157:1 163:22	<b>reviewed</b> 41:17
<b>representation</b>	132:7 173:9	<b>responsibility</b>	86:7,10,12,15,21
118:1 120:24	<b>requires</b> 46:12	40:9,11 84:16	86:23 87:5 91:9
147:1,13	<b>research</b> 52:1,4,23	117:17 119:8,11	99:6 103:17 135:5
<b>representations</b>	53:4,10 54:10,15	120:10 126:9	135:23,24 176:22
74:2	92:3 96:5	155:15,18 156:25	177:2 185:22
<b>represented</b>	<b>researched</b> 53:15	<b>responsible</b> 27:24	190:10,18 191:7
181:15	<b>reserved</b> 9:18	39:4,22,25 43:11	191:25 192:8,19
<b>represents</b> 121:13	<b>reside</b> 13:24	117:2,7,13,14	193:1 194:1 195:4
122:22 124:25	<b>resources</b> 22:24	128:25 130:10,15	<b>reviewing</b> 27:18
198:2	28:5	<b>responsive</b> 80:17	86:18 91:16
<b>request</b> 11:10 17:2	<b>respect</b> 38:1 49:20	<b>rest</b> 17:22	103:21 105:2
29:17 42:2 70:6	50:13 51:8,15,22	<b>restate</b> 48:20 49:5	193:18
<b>requested</b> 16:23	61:9 64:10 67:16	53:1 75:1 94:25	<b>reviews</b> 35:2
42:5 43:4 60:5	73:16 75:8,23	109:1 139:6	<b>riding</b> 173:23
62:10 67:4 68:1	76:12 88:23 89:3	156:18,20	<b>right</b> 12:1,21,25
94:2 95:3 101:3	92:10 97:12 99:22	<b>restated</b> 95:1	14:8,16,21,22 16:7
106:20 108:25	100:17 138:21	<b>result</b> 164:7 166:9	16:16 18:2,12
110:22 112:5	139:8,24 153:16	191:9 192:10	19:13 28:1,1,5
120:17 122:20	160:19	<b>results</b> 29:18	34:15,16 36:3,4
143:23 156:22			38:6,23,24 40:14

[right - served]

Page 34

40:16,22 43:13 44:20 45:17 46:5 61:15 68:8 73:23 81:16 84:1 89:19 91:7 93:7 99:14 99:16 100:9 119:14 121:5 129:3 144:8 154:6 154:9 160:18 161:18,22 166:5 167:9 168:12 169:11 172:17 185:22 194:14,23 196:6,15,24 197:4 197:13,16,25 <b>rights</b> 71:17 111:21 <b>rise</b> 150:17 <b>risk</b> 40:9,12 82:1 83:9,15 <b>rite</b> 5:11 <b>rivero</b> 1:14 2:10 2:22 <b>riveromestre.com</b> 2:12,23 <b>road</b> 3:2,15 6:11 6:15 <b>roi</b> 31:5 <b>role</b> 19:18 20:16 24:12 25:8,10,21 28:9 30:21,23 32:12 34:20,22,25 35:18 38:9 41:3 42:15 49:13 53:19 59:6 63:24 64:3 82:9,9 91:16 108:6 110:15 152:25 155:14 <b>roles</b> 19:23,25 20:6 21:1,2 26:8 27:11 28:10,10	29:20,22 30:3,6 34:20 35:14 37:8 37:18,23 38:14 42:14 59:5 82:9 <b>room</b> 11:18 12:13 24:15 186:20 199:9 <b>rooney</b> 3:5 <b>rose</b> 4:6 6:19 <b>ross</b> 4:6 6:19 <b>roszel</b> 6:15 <b>rotation</b> 25:22 <b>rounds</b> 25:23 <b>ruben</b> 6:1,3 68:19 70:18 <b>rule</b> 69:3 70:12 <b>rules</b> 14:3 <b>rx</b> 34:14,18,20  <b>s</b> <b>s</b> 2:1 3:8 8:11 9:14 9:14 10:1 132:10 203:3 <b>safe</b> 58:24 104:18 114:23 116:1 117:15,18 120:25 122:23 124:8 126:8,8,17 127:5 128:8 129:20 132:8 136:22 144:15,20 145:24 163:10 173:10 <b>safety</b> 12:17 82:1 82:3 83:13 95:12 104:13 105:20 123:14 149:18 151:17 166:14 169:10 183:2 <b>sale</b> 133:16 <b>sameness</b> 182:25 <b>san</b> 34:14	<b>sanctioned</b> 65:17 <b>sarah</b> 6:5 <b>sarah.zimmerman</b> 6:7 <b>savage</b> 3:15 <b>saying</b> 14:11,12,20 84:3 118:23 149:4 169:9 <b>says</b> 97:22 98:5 119:12 183:12 <b>schaffer</b> 3:14 <b>school</b> 45:21 48:1 <b>sciegen</b> 4:21 <b>science</b> 18:1,7,9 78:3 <b>sciences</b> 20:9,22 63:12,22 <b>scientific</b> 103:16 <b>scope</b> 49:9 94:8 95:17,22 100:20 106:8,11,17 129:24 133:7 137:7,8,20 140:7 142:9,13,17,21 148:10,20 155:22 157:1 158:1 160:2 161:15 163:7,19 164:10 166:18 169:14,18 171:10 172:12,14 173:16 174:10,23 176:16 178:2 182:2,15 188:25 189:2 190:5,14 191:6,14 191:24 194:15 197:1,8 198:1,12 198:25 <b>scripts</b> 6:8 <b>seal</b> 200:9,12 <b>second</b> 18:11 144:4 156:4,7	186:19 <b>section</b> 93:10 97:7 97:7 99:14 100:7 101:15,17 106:22 127:12,15,16 141:20 142:22 143:7,14 144:4,9 144:24 145:9 155:5,7 171:25 <b>sections</b> 99:11 127:17,19,20 <b>see</b> 11:7 12:19 14:7 40:13 72:10 104:11 119:3 189:6 193:17 <b>seek</b> 190:12 <b>seeking</b> 110:8 111:1 117:16 119:10,15 126:10 131:20 132:2,6 185:11 <b>seen</b> 14:23 16:16 195:2 <b>self</b> 33:12,14 36:14 38:22 39:8,13,24 159:19 168:6 <b>sending</b> 90:19 <b>senior</b> 37:10,12,19 38:5,10 157:24 <b>sense</b> 158:16 181:4 <b>sent</b> 202:14 <b>sentence</b> 96:3 119:17 140:16,18 143:20 183:12 <b>september</b> 90:8 <b>series</b> 185:15 <b>serious</b> 168:24 <b>serve</b> 101:5 <b>served</b> 20:8 32:25 33:4,8,19
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[serves - standing]

Page 35

<b>serves</b>	183:15	<b>83:21</b>	<b>sound</b>	100:5	129:15 131:21
<b>service</b>	196:8,10 197:13,14 198:3	<b>sign</b>	16:3 199:11 202:12	<b>source</b>	112:11 152:21 153:10,11 173:13 183:15
<b>services</b>	19:20 28:23 30:4 34:21 36:9 38:21 63:12	<b>signature</b>	200:16 201:22	<b>south</b>	3:20 5:10 6:2
<b>serving</b>	170:4	<b>signed</b>	202:20	<b>speak</b>	126:14 157:13
<b>set</b>	32:2 35:1 123:6 130:25 132:7 139:19 140:2 145:22 151:16 164:23 168:14 189:2 196:13	<b>significance</b>	109:8	<b>speaking</b>	68:16 71:13 82:5,15 83:3 84:17 111:15
<b>setup</b>	12:16 14:25	<b>similar</b>	129:25 198:19	<b>speaks</b>	76:10 126:12
<b>seven</b>	183:7	<b>sit</b>	55:16 56:2	<b>special</b>	23:23 24:2
<b>shape</b>	173:24	<b>site</b>	47:19 48:6 51:2	<b>specialty</b>	33:2,20 34:5,6,8 53:23
<b>share</b>	58:10 103:3	<b>six</b>	12:9	<b>specific</b>	31:17 33:10 39:10,17 42:8 43:14 53:13
<b>sheet</b>	8:9 98:15,16 108:10,19 109:4 113:22 114:1,7 186:2,3 202:11	<b>smith</b>	34:14,18,20	<b>society</b>	47:22 51:3 54:8 58:12 66:12 67:17 71:25 72:2
<b>shenandoah</b>	19:2	<b>social</b>	20:9,22 63:12,21	<b>sold</b>	75:21 87:1 95:20
<b>shift</b>	27:23	<b>society</b>	47:22 51:3	<b>sole</b>	95:24 102:6 95:24 102:6 103:21 107:1
<b>shoes</b>	187:23	<b>solco</b>	4:4	<b>solutions</b>	103:21 107:1 127:8 131:13,16 131:24 134:6
<b>short</b>	103:7 189:6	<b>sold</b>	188:12	<b>somebody</b>	135:4,13 138:5,8 141:2,9 148:14 151:10 162:8 171:11 176:8
<b>shorthand</b>	200:6 201:5	<b>sole</b>	36:18	<b>stand</b>	182:12 193:5,20 193:21,24 196:20 197:4
<b>shortly</b>	28:25	<b>solutions</b>	202:23	<b>standards</b>	197:4 50:8 51:4,8,15,22 69:21 74:11
<b>show</b>	63:18 126:20 127:10 177:1 186:23 187:5	<b>somebody</b>	186:20	<b>standard</b>	103:16 116:20 118:13 120:4,21 121:14 122:10 123:2,5
<b>showed</b>	187:2 190:10,19 191:7	<b>someone's</b>	16:11	<b>standing</b>	123:2,5 145:12,13 147:20 148:8 154:3 156:24,25,25 157:4
<b>showing</b>	185:25	<b>sorry</b>	10:16 54:21 60:3 61:11 85:15 85:17,20 89:14	<b>specifically</b>	156:15 176:25 180:4 194:4 196:13,15 197:4 198:13,15 199:4 200:16,17 201:3 202:15 203:16 204:11 205:17 206:18 207:1 208:19 209:1 210:1 211:1 212:1 213:1 214:1 215:1 216:1 217:1 218:1 219:1 220:1 221:1 222:1 223:1 224:1 225:1 226:1 227:1 228:1 229:1 230:1 231:1 232:1 233:1 234:1 235:1 236:1 237:1 238:1 239:1 240:1 241:1 242:1 243:1 244:1 245:1 246:1 247:1 248:1 249:1 250:1 251:1 252:1 253:1 254:1 255:1 256:1 257:1 258:1 259:1 260:1 261:1 262:1 263:1 264:1 265:1 266:1 267:1 268:1 269:1 270:1 271:1 272:1 273:1 274:1 275:1 276:1 277:1 278:1 279:1 280:1 281:1 282:1 283:1 284:1 285:1 286:1 287:1 288:1 289:1 290:1 291:1 292:1 293:1 294:1 295:1 296:1 297:1 298:1 299:1 200:1 201:1 202:1 203:1 204:1 205:1 206:1 207:1 208:1 209:1 210:1 211:1 212:1 213:1 214:1 215:1 216:1 217:1 218:1 219:1 220:1 221:1 222:1 223:1 224:1 225:1 226:1 227:1 228:1 229:1 230:1 231:1 232:1 233:1 234:1 235:1 236:1 237:1 238:1 239:1 240:1 241:1 242:1 243:1 244:1 245:1 246:1 247:1 248:1 249:1 250:1 251:1 252:1 253:1 254:1 255:1 256:1 257:1 258:1 259:1 260:1 261:1 262:1 263:1 264:1 265:1 266:1 267:1 268:1 269:1 270:1 271:1 272:1 273:1 274:1 275:1 276:1 277:1 278:1 279:1 280:1 281:1 282:1 283:1 284:1 285:1 286:1 287:1 288:1 289:1 290:1 291:1 292:1 293:1 294:1 295:1 296:1 297:1 298:1 299:1 300:1 301:1 302:1 303:1 304:1 305:1 306:1 307:1 308:1 309:1 310:1 311:1 312:1 313:1 314:1 315:1 316:1 317:1 318:1 319:1 320:1 321:1 322:1 323:1 324:1 325:1 326:1 327:1 328:1 329:1 330:1 331:1 332:1 333:1 334:1 335:1 336:1 337:1 338:1 339:1 340:1 341:1 342:1 343:1 344:1 345:1 346:1 347:1 348:1 349:1 350:1 351:1 352:1 353:1 354:1 355:1 356:1 357:1 358:1 359:1 360:1 361:1 362:1 363:1 364:1 365:1 366:1 367:1 368:1 369:1 370:1 371:1 372:1 373:1 374:1 375:1 376:1 377:1 378:1 379:1 380:1 381:1 382:1 383:1 384:1 385:1 386:1 387:1 388:1 389:1 390:1 391:1 392:1 393:1 394:1 395:1 396:1 397:1 398:1 399:1 400:1 401:1 402:1 403:1 404:1 405:1 406:1 407:1 408:1 409:1 4010:1 4011:1 4012:1 4013:1 4014:1 4015:1 4016:1 4017:1 4018:1 4019:1 4020:1 4021:1 4022:1 4023:1 4024:1 4025:1 4026:1 4027:1 4028:1 4029:1 4030:1 4031:1 4032:1 4033:1 4034:1 4035:1 4036:1 4037:1 4038:1 4039:1 40310:1 40311:1 40312:1 40313:1 40314:1 40315:1 40316:1 40317:1 40318:1 40319:1 40320:1 40321:1 40322:1 40323:1 40324:1 40325:1 40326:1 40327:1 40328:1 40329:1 40330:1 40331:1 40332:1 40333:1 40334:1 40335:1 40336:1 40337:1 40338:1 40339:1 403310:1 403311:1 403312:1 403313:1 403314:1 403315:1 403316:1 403317:1 403318:1 403319:1 403320:1 403321:1 403322:1 403323:1 403324:1 403325:1 403326:1 403327:1 403328:1 403329:1 403330:1 403331:1 403332:1 403333:1 403334:1 403335:1 403336:1 403337:1 403338:1 403339:1 4033310:1 4033311:1 4033312:1 4033313:1 4033314:1 4033315:1 4033316:1 4033317:1 4033318:1 4033319:1 4033320:1 4033321:1 4033322:1 4033323:1 4033324:1 4033325:1 4033326:1 4033327:1 4033328:1 4033329:1 4033330:1 4033331:1 4033332:1 4033333:1 4033334:1 4033335:1 4033336:1 4033337:1 4033338:1 4033339:1 40333310:1 40333311:1 40333312:1 40333313:1 40333314:1 40333315:1 40333316:1 40333317:1 40333318:1 40333319:1 40333320:1 40333321:1 40333322:1 40333323:1 40333324:1 40333325:1 40333326:1 40333327:1 40333328:1 40333329:1 40333330:1 40333331:1 40333332:1 40333333:1 40333334:1 40333335:1 40333336:1 40333337:1 40333338:1 40333339:1 403333310:1 403333311:1 403333312:1 403333313:1 403333314:1 403333315:1 403333316:1 403333317:1 403333318:1 403333319:1 403333320:1 403333321:1 403333322:1 403333323:1 403333324:1 403333325:1 403333326:1 403333327:1 403333328:1 403333329:1 403333330:1 403333331:1 403333332:1 403333333:1 403333334:1 403333335:1 403333336:1 403333337:1 403333338:1 403333339:1 4033333310:1 4033333311:1 4033333312:1 4033333313:1 4033333314:1 4033333315:1 4033333316:1 4033333317:1 4033333318:1 4033333319:1 4033333320:1 4033333321:1 4033333322:1 4033333323:1 4033333324:1 4033333325:1 4033333326:1 4033333327:1 4033333328:1 4033333329:1 4033333330:1 4033333331:1 4033333332:1 4033333333:1 4033333334:1 4033333335:1 4033333336:1 4033333337:1 4033333338:1 4033333339:1 40333333310:1 40333333311:1 40333333312:1 40333333313:1 40333333314:1 40333333315:1 40333333316:1 40333333317:1 40333333318:1 40333333319:1 40333333320:1 40333333321:1 40333333322:1 40333333323:1 40333333324:1 40333333325:1 40333333326:1 40333333327:1 40333333328:1 40333333329:1 40333333330:1 40333333331:1 40333333332:1 40333333333:1 40333333334:1 40333333335:1 40333333336:1 40333333337:1 40333333338:1 40333333339:1 403333333310:1 403333333311:1 403333333312:1 403333333313:1 403333333314:1 403333333315:1 403333333316:1 403333333317:1 403333333318:1 403333333319:1 403333333320:1 403333333321:1 403333333322:1 403333333323:1 403333333324:1 403333333325:1 403333333326:1 403333333327:1 403333333328:1 403333333329:1 403333333330:1 403333333331:1 403333333332:1 403333333333:1 403333333334:1 403333333335:1 403333333336:1 403333333337:1 403333333338:1 403333333339:1 4033333333310:1 4033333333311:1 4033333333312:1 4033333333313:1 4033333333314:1 4033333333315:1 4033333333316:1 4033333333317:1 4033333333318:1 4033333333319:1 4033333333320:1 4033333333321:1 4033333333322:1 4033333333323:1 4033333333324:1 4033333333325:1 4033333333326:1 4033333333327:1 4033333333328:1 4033333333329:1 4033333333330:1 4033333333331:1 4033333333332:1 4033333333333:1 4033333333334:1 4033333333335:1 4033333333336:1 4033333333337:1 4033333333338:1 4033333333339:1 40333333333310:1 40333333333311:1 40333333333312:1 40333333333313:1 40333333333314:1 40333333333315:1 40333333333316:1 40333333333317:1 40333333333318:1 40333333333319:1 40333333333320:1 40333333333321:1 40333333333322:1 40333333333323:1 40333333333324:1 40333333333325:1 40333333333326:1 40333333333327:1 40333333333328:1 40333333333329:1 40333333333330:1 40333333333331:1 40333333333332:1 40333333333333:1 40333333333334:1 40333333333335:1 40333333333336:1 40333333333337:1 40333333333338:1 40333333333339:1 403333333333310:1 403333333333311:1 403333333333312:1 403333333333313:1 403333333333314:1 403333333333315:1 403333333333316:1 403333333333317:1 403333333333318:1 403333333333319:1 403333333333320:1 403333333333321:1 403333333333322:1 403333333333323:1 403333333333324:1 403333333333325:1 403333333333326:1 403333333333327:1 403333333333328:1 403333333333329:1 403333333333330:1 403333333333331:1 403333333333332:1 403333333333333:1 403333333333334:1 403333333333335:1 403333333333336:1 403333333333337:1 403333333333338:1 403333333333339:1 4033333333333310:1 4033333333333311:1 4033333333333312:1 4033333333333313:1 4033333333333314:1 4033333333333315:1 4033333333333316:1 4033333333333317:1 4033333333333318:1 4033333333333319:1 4033333333333320:1 4033333333333321:1 4033333333333322:1 4033333333333323:1 4033333333333324:1 4033333333333325:1 4033333333333326:1 4033333333333327:1 4033333333333328:1 4033333333333329:1 4033333333333330:1 4033333333333331:1 4033333333333332:1 4033333333333333:1 4033333333333334:1 4033333333333335:1 4033333333333336:1 4033333333333337:1 4033333333333338:1 4033333333333339:1 40333333333333310:1 40333333333333311:1 40333333333333312:1 40333333333333313:1 40333333333333314:1 40333333333333315:1 40333333333333316:1 40333333333333317:1 40333333333333318:1 40333333333333319:1 40333333333333320:1 40333333333333321:1 40333333333333322:1 40333333333333323:1 40333333333333324:1 40333333333333325:1 40333333333333326:1 40333333333333327:1 40333333333333328:1 40333333333333329:1 40333333333333330:1 40333333333333331:1 40333333333333332:1 40333333333333333:1 40333333333333334:1 40333333333333335:1 40333333333333336:1 40333333333333337:1 40333333333333338:1 40333333333333339:1 403333333333333310:1 403333333333333311:1 403333333333333312:1 403333333333333313:1 403333333333333314:1 403333333333333315:1 403333333333333316:1 403333333333333317:1 403333333333333318:1 403333333333333319:1 403333333333333320:1 403333333333333321:1 403333333333333322:1 403333333333333323:1 403333333333333324:1 403333333333333325:1 403333333333333326:1 403333333333333327:1 403333333333333328:1 403333333333333329:1 403333333333333330:1 403333333333333331:1 403333333333333332:1 403333333333333333:1 403333333333333334:1 403333333333333335:1 403333333333333336:1 403333333333333337:1 403333333333333338:1 403333333333333339:1 4033333333333333310:1 4033333333333333311:1 4033333333333333312:1 4033333333333333313:1 4033333333333333314:1 4033333333333333315:1 4033333333333333316:1 4033333333333333317:1 4033333333333333318:1 4033333333333333319:1 4033333333333333320:1 4033333333333333321:1 4033333333333333322:1 4033333333333333323:1 4033333333333333324:1 40333333333333333

[standing - sure]

Page 36

57:12	97:11 99:2,18,24	<b>strategy</b> 151:23	<b>subset</b> 30:16
<b>standpoint</b> 165:9	100:12 101:10	152:1 162:15	<b>subsidies</b> 198:20
<b>stands</b> 187:23	109:4 110:6	163:12 166:7	<b>substance</b> 94:5,9
<b>start</b> 14:17,18	111:17,21 112:13	168:15 170:8	95:9 129:6
48:21 92:15 167:8	113:2,4 121:6	174:7,8,19 190:3	<b>substitutability</b>
<b>started</b> 74:14	123:9 134:3	190:18 192:20,24	134:8 144:19
92:18	<b>states</b> 1:1 28:19	<b>street</b> 2:19 3:5,10	152:21 183:16
<b>starting</b> 29:1	30:11 31:3 32:7	3:20 4:2,19 5:2,10	<b>substitutable</b>
<b>state</b> 1:16 4:19	32:25 69:4 101:22	5:17 6:2	115:25 116:13,16
10:14,15,16 13:18	118:24 120:13	<b>strike</b> 84:24 163:2	153:11
21:6,9,18 22:10,15	121:1 133:11,17	168:3 191:2	<b>substituted</b> 116:9
23:2,10,17 55:23	133:17 150:9	<b>structure</b> 31:12	<b>substitution</b>
64:17 71:5 93:14	152:23 161:24	43:10,15 57:11	115:16
102:25 113:7	164:7 165:4 188:8	<b>structured</b> 30:19	<b>suffice</b> 126:18
115:16 116:18	<b>stating</b> 130:17	31:1	<b>sufficed</b> 55:24
121:11 128:24	131:7 145:22	<b>student</b> 20:2,4	124:7 164:22
132:9 136:24	<b>status</b> 12:14 98:13	<b>students</b> 20:2	173:9
140:9 143:7,8	98:19 104:2 120:6	60:23 62:25	<b>suffices</b> 119:25
144:5,24 146:24	<b>stay</b> 86:8	<b>studies</b> 80:15 81:9	<b>sufficient</b> 162:14
155:13 200:2,7,17	<b>staying</b> 53:20	95:17 103:22	<b>suggest</b> 72:4
201:2,6,23	<b>steamfitters</b> 3:17	151:4 172:21	<b>suggestion</b> 71:7
<b>stated</b> 93:8,11	<b>stenographic</b>	<b>study</b> 99:10	<b>suing</b> 187:14
94:23 108:11	68:25 201:11	115:12,13	188:19,20
<b>statement</b> 40:20	<b>stenographically</b>	<b>studying</b> 55:5	<b>suitable</b> 132:12
93:17 96:7,13,16	69:1 201:7	<b>subformularies</b>	170:11
96:19 112:18,22	<b>step</b> 70:25	127:21	<b>suite</b> 1:14 2:11,22
113:10,15,21	<b>steps</b> 150:25	<b>subject</b> 33:1,4,8	3:2,5 4:2,6,23 5:2
114:11,18,25	<b>steven</b> 6:9	33:19 149:17	5:13 6:6,11,19 7:2
115:20 116:22	<b>stipulate</b> 111:10	10:8	<b>summary</b> 142:22
118:10 120:9	111:19,20,24	<b>submissions</b> 144:1	142:25 144:5
123:22 124:3,20	121:24 122:2,5	<b>submit</b> 131:11	<b>supervise</b> 27:21
128:13 130:9	<b>stipulated</b> 9:15	<b>submitted</b> 104:1	<b>supervision</b> 27:23
131:10,14,17	<b>stipulation</b> 111:25	117:6 118:22	<b>support</b> 117:11
132:14,25 133:19	<b>stop</b> 68:8 148:3	143:19 144:3	128:12
135:8 136:12	169:2 170:10	150:14	<b>sure</b> 14:5 16:5
137:2 139:21	<b>stoy</b> 4:9	<b>submitting</b> 130:13	17:11 26:19 31:6
143:13 144:4,9,17	<b>strategic</b> 35:11	130:19,23	48:21 53:3 59:15
144:24 145:6,15	<b>strategies</b> 128:4	<b>subscribed</b> 204:14	70:25 84:4 93:24
147:3,11,18,24	161:2,3,6,16 162:2	<b>subsequent</b> 196:10	94:19,25 106:19
<b>statements</b> 50:12	166:9 170:9 175:6	197:24 198:8	109:19 118:10
71:4 73:24 74:1	191:22 192:7,11		

[sure - tier]

Page 37

137:16 149:8 154:8 156:9 158:22 167:18 193:7 194:1 195:21,23 196:22 <b>surgery</b> 23:23 24:2,14,15 <b>surrounding</b> 155:17 169:5 <b>surveys</b> 35:16 <b>suspend</b> 71:22 <b>suspended</b> 65:15 <b>swear</b> 10:12 13:1 <b>swedesford</b> 3:2 <b>sworn</b> 13:6 200:9 204:14 <b>system</b> 51:3,11 126:7 <b>systems</b> 47:22 126:7 127:16  <b>t</b>	<b>talking</b> 61:11 131:21 180:23 196:14 <b>talks</b> 97:7 127:11 <b>tasked</b> 150:7 <b>taught</b> 20:19,20,24 63:3,5,24 64:3 <b>te</b> 109:23 <b>teach</b> 20:15,18 <b>team</b> 24:9,10 <b>teams</b> 25:12 <b>technicians</b> 27:21 <b>tel</b> 4:20 <b>tell</b> 30:13 31:5 32:11 44:15 103:9 <b>ten</b> 56:14 72:21 167:25 <b>tend</b> 34:8 <b>term</b> 34:11 58:21 59:2,11 93:19 94:5 95:7 96:1 115:11 121:16,20 122:6 123:2,3,5 129:4,22,23 130:2 130:3 136:5,6,7 139:17 140:13,21 143:1,1 145:5,6,9 177:23 178:10,11 179:16 180:19,20 <b>terminate</b> 69:4,6 70:12 71:15 <b>terminus</b> 6:10 <b>terms</b> 32:1 54:5 62:18 95:25 113:8 113:16 114:12 129:9,16 130:5 134:11 146:8 153:10 168:15 <b>territories</b> 188:8 <b>territory</b> 66:15	<b>tested</b> 142:8,12,16 142:20 <b>testified</b> 13:7 78:24,25 111:7 179:3 181:13 <b>testify</b> 15:19,25 159:4,14 <b>testifying</b> 88:21,22 89:11,17,19 169:17 170:22 <b>testimony</b> 8:3 13:1 15:21 51:23 79:10 80:16 111:11 135:17 177:19 195:24 198:10 202:9,18 204:8 <b>teva</b> 2:5,9 3:12,12 6:13 10:19,21 13:13 <b>texas</b> 4:7 6:20 <b>thank</b> 12:23 13:24 27:3 33:17 59:16 70:18 74:14,15 80:9 95:14 122:13 122:18,19 125:12 156:11,21 175:13 180:15 183:8 184:4 185:2,5 189:16 194:11,12 194:14 199:12,14 <b>thanks</b> 156:12 199:13 <b>therapeutic</b> 54:2 101:20 105:23 106:2 109:8,17,20 109:23 116:7,12 127:22 150:16,19 178:8 <b>therapeutically</b> 151:1	<b>therapy</b> 21:24,25 <b>thereabout</b> 138:18 <b>thing</b> 70:19 73:12 74:8 132:24 136:7 143:21 <b>things</b> 22:22 106:6 111:8 129:18,22 198:20 <b>think</b> 11:8 34:19 61:22 72:15 83:7 92:21 107:13,19 108:23 135:13 158:6 168:8 171:19 179:3 180:18 197:19 <b>thinks</b> 156:9 <b>third</b> 38:22 39:1,2 39:22 40:3,4,8 44:15 75:8 97:25 98:15,16 108:9,18 109:3 113:21,22 114:6 136:19 157:10 159:16,20 160:5 166:25 185:10 186:1,2 187:9,12 188:3,4,7 <b>thornburg</b> 5:9 <b>thoroughly</b> 71:17 173:18 <b>thought</b> 34:3 107:14 156:5 <b>thoughtful</b> 115:15 161:3 163:12 <b>threatened</b> 71:22 <b>three</b> 3:9 114:9 <b>tie</b> 170:16 <b>tied</b> 42:11 44:12 50:25 58:12 63:25 67:19 76:4 102:14 <b>tier</b> 104:8 105:11
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[tiering - uh]

Page 38

<b>tiering</b> 31:2	<b>title</b> 19:24	174:21 175:3	<b>traurig</b> 2:3,7 4:23
<b>till</b> 19:17 37:17	<b>titled</b> 101:15	195:16,17,23	6:10 10:18,20
<b>time</b> 1:12 12:10	104:10	196:23	13:13
13:15 14:21 15:4	<b>titles</b> 20:6 21:2	<b>tpp's</b> 153:16	<b>treat</b> 73:16
15:10,18 18:18	58:11 63:5,14,18	195:25	<b>treated</b> 31:9
22:12 24:22,24	63:23 64:2	<b>tpps</b> 38:22 41:2	<b>treatment</b> 32:3
25:4,6,16,18 26:5	<b>today</b> 15:2,17,22	67:15,15 75:7	<b>trial</b> 78:25
27:8,16,22,24 28:4	16:6 17:6 40:25	76:11,18 92:10	<b>tried</b> 170:15
28:16,20 29:2,4,5	43:21 48:2 55:16	97:9,13 102:3,10	<b>true</b> 201:10 204:8
29:6,7,9,10,10	56:2 67:14 71:8	102:12 116:18	<b>trust</b> 185:15
30:13 34:17 35:7	89:7 157:22 163:8	118:1,11,19,25	<b>truth</b> 13:2,3,3
35:19 37:12,15	188:23	119:12,18 121:14	153:10,11 183:15
46:16,25 55:5	<b>today's</b> 199:15	132:10 133:14	<b>truthful</b> 15:21
59:17,20 64:4,9,12	<b>told</b> 90:17 181:7	146:25 147:11,15	<b>try</b> 14:17 178:19
64:24 66:20 68:21	183:24 192:19	152:12,19 160:15	<b>trying</b> 14:19 23:9
69:5 70:7 72:5,12	<b>tone</b> 73:8	161:19 162:12	83:6 137:19
72:14 73:22 74:17	<b>top</b> 103:13	163:8 164:21	170:16
82:22 88:5,7,9,12	<b>topic</b> 57:18 58:15	165:8 166:4,9	<b>turn</b> 79:15 85:23
89:6,8 92:17,18,22	169:25	167:9,12,15 168:4	93:9
92:25 93:7 115:13	<b>topics</b> 70:8 188:24	168:6 169:9 170:3	<b>turned</b> 145:1,17
121:24 122:4	<b>torts</b> 6:2	170:5 171:2,4	<b>two</b> 19:8 21:1
125:24 128:18,21	<b>total</b> 89:5,11	172:25 173:3,14	38:13 62:21 69:11
137:1,3,5,8,9,13	<b>touch</b> 108:16	173:24 174:4,7,8	69:12 98:18
137:20,21,22,24	<b>toxicologist</b> 78:18	174:13 175:6	107:22 108:4
138:7,8 150:22	<b>toxicology</b> 155:20	184:14,18 187:24	141:18 144:11
151:20 153:15	<b>tp</b> 102:2	192:3	<b>type</b> 20:21 23:3
156:7,23 160:20	<b>tpa</b> 40:2,9 42:24	<b>track</b> 41:18 88:7	26:13 30:15 33:11
161:13 162:13	43:9,13,19,24 44:7	88:12	50:16 186:16
164:3,4 165:13	44:16	<b>tracked</b> 88:14	198:8,17
169:5 171:6,8	<b>tpas</b> 43:5	<b>tracking</b> 29:18	<b>types</b> 22:22 35:22
174:4 175:13	<b>tpp</b> 38:25 39:7,12	88:3	50:23
178:25 179:19,24	40:7 42:18,22,25	<b>trade</b> 3:5	<b>typical</b> 193:17
180:2,5 182:19	43:9,24 44:8,16	<b>training</b> 77:6,22	<b>u</b>
183:6 189:10,13	97:8 102:16,21	<b>transaction</b>	
194:13,23 195:14	103:4,7,10 120:2	194:22 196:5,6	<b>u</b> 9:14 180:25
196:6 199:16	147:8 152:16	<b>transcript</b> 201:9	<b>u.s.</b> 4:4 100:5
202:19	153:6,19 160:23	201:10 202:6,20	107:5,15 112:15
<b>time's</b> 180:6	161:10,23 162:9	204:5,8	<b>uh</b> 13:14 14:9,14
<b>timeframe</b> 202:8	163:1,4,16,25	<b>transition</b> 170:11	14:14 23:12 29:8
<b>times</b> 57:24 82:20	164:2,6,12 165:3	170:12 171:7,8,13	45:15 47:4 79:17
82:20 111:7	165:17,22 174:20		80:13 84:6 85:25
			95:9 98:20 103:14

[uh - videographer]

Page 39

104:9 105:8	95:25 107:25	<b>upholding</b> 78:8	<b>vanderbilt</b> 2:3,7
109:16 123:18	112:17,17 113:11	<b>upkeep</b> 86:8	<b>varies</b> 67:5
144:11 145:4	115:5 119:17	<b>usa</b> 3:12	<b>various</b> 57:10
146:3,16 151:13	120:8 128:25	<b>use</b> 26:11,16 34:1	101:9 185:21
177:13	130:11 131:25	34:10 54:1 58:6	<b>vast</b> 181:9
<b>ulmer</b> 5:1	132:1 134:17,21	60:2,18 88:11	<b>vauuggn</b> 7:1
<b>ulmer.com</b> 5:3	139:12,20 165:8	97:6 102:16,21	<b>vcd</b> 138:3,11
<b>ultimate</b> 40:8,11	165:12 166:8	120:25 122:6	162:10 163:16
<b>ultimately</b> 43:11	174:3 176:17	123:2 129:9,22,22	164:1,8,14,16
<b>unacceptable</b>	188:16 189:24	130:1,2 136:6,7	165:5,19 175:7
68:14,17 70:11	191:10 196:1	145:1,5 146:8	189:25 190:4,8
93:21 129:2,2	<b>understood</b> 15:7	152:9,10,16 153:6	191:4,11
130:12 140:25	93:24 168:18	153:8,17,19	<b>vcds</b> 136:25
145:19 146:2,5,6	<b>underwriters</b>	177:24 179:22	138:21 139:9,25
166:23 170:17	64:18 83:3	181:3 182:21	140:11 142:1
<b>unbiased</b> 105:1	<b>unfair</b> 111:10	188:11	161:11,19 162:25
<b>unclear</b> 178:16	<b>unfamiliar</b> 54:25	<b>uses</b> 121:22 136:5	163:1 167:17
197:18	<b>unfortunately</b>	<b>utilization</b> 41:6	168:5,12,18,20
<b>understand</b> 14:13	71:10		169:11 170:3
15:4 23:9 24:6	<b>unit</b> 10:5	<b>v</b>	173:14 174:4,20
54:1 58:21 66:6	<b>united</b> 1:1 101:22	<b>v</b> 180:25	183:14 190:13,21
66:22,23 76:2	120:13,25 133:11	<b>valid</b> 187:15	192:4 194:2
77:4 84:3 93:19	133:16,17 150:9	<b>valsartan</b> 1:4	<b>verbal</b> 57:17
94:5,25 95:5	152:23 161:24	52:13,13,23,24	<b>verbally</b> 14:11
106:9 109:19	164:6 165:3 188:7	53:4,4,10,10,15	<b>verbatim</b> 126:22
110:2 112:14	<b>universal</b> 34:7	54:10,11 93:15,16	<b>verify</b> 202:9
118:7 123:3 127:2	174:8	97:3,4,5 98:6,8	<b>verifying</b> 28:1
129:8 131:15	<b>university</b> 18:1,14	103:9,10 114:3	<b>veritext</b> 10:11
133:13 137:16,19	19:2 20:7 21:3	121:9 136:25	202:14,23
141:14 155:15	25:14,19	138:2,10,21 139:8	<b>veritext.com</b>
156:25 158:6	<b>university's</b> 19:13	139:25 146:23	202:15
166:6 170:8	19:19	148:9,17 149:12	<b>versions</b> 140:11
176:25 182:2	<b>unjustly</b> 161:20	150:24 151:5,9,12	142:1 183:13
187:8,11,14,22	170:3 173:25	151:19 152:5,13	<b>versus</b> 103:5 130:2
188:3,18 196:9	<b>unreasonably</b>	154:21,21,24,25	<b>vice</b> 37:10,10,12
<b>understanding</b>	69:8	155:2 157:7,11,17	37:15,24 157:24
11:16,23 12:5	<b>update</b> 179:19	160:21 167:2,3,12	157:24
41:15 44:6 59:1,3	<b>updates</b> 17:19	185:11,17 186:10	<b>vicinage</b> 1:2
59:10 62:12 67:6	41:7 53:21,21	186:24 187:12	<b>video</b> 10:5 11:18
67:9 80:16 84:4	<b>uphold</b> 126:10	188:10 202:4	<b>videographer</b> 7:10
84:15,22 94:4,19		203:1 204:1	7:11 10:3,10,15

[videographer - x]

Page 40

11:9,19,19 59:17 59:20 68:21 74:17 92:22,25 128:18 128:21 153:24 154:2 189:10,13 199:13,15 <b>videotaped</b> 1:9 <b>view</b> 73:9 130:7 160:16 <b>views</b> 130:5 <b>violation</b> 150:18 <b>visibility</b> 41:22 <b>visit</b> 24:16 <b>voluntary</b> 93:15 157:11 <b>vp</b> 37:19 38:5,10 38:10	136:5,6,25 <b>warranty</b> 58:23 121:13,16,25 122:4,6,22 123:2 126:15 136:7 143:1,1 144:25 145:5,7,9,16 161:19 170:2 <b>washington</b> 4:2 5:22 7:6 <b>way</b> 23:1 38:9 54:23 65:18 71:9 73:8 91:11 95:1 103:9 114:22 139:6 143:2,9 145:7,10 147:8,24 148:23 149:5,8,11 161:8 167:19 171:5 182:3 <b>wayne</b> 3:2 <b>ways</b> 39:12,15 72:21 169:16 <b>we've</b> 19:10 21:1 48:10,14 80:19 108:4 135:13 <b>webinar</b> 65:7 <b>webinars</b> 64:22 <b>website</b> 45:6 46:2 46:3 47:7 93:18 139:22 146:19 <b>welcome</b> 80:3 175:14 189:17 <b>wellness</b> 36:2,7,8,9 36:21 37:2 <b>went</b> 82:19 162:20 <b>west</b> 3:5 <b>wharton</b> 2:21 10:24,24 43:1 <b>whiteley</b> 2:18,18 5:17 11:1,1 70:17 72:13	<b>whiteley's</b> 74:3 <b>wholesaler</b> 188:13 <b>widely</b> 153:9 <b>william</b> 6:14,14 <b>windermere</b> 13:23 <b>wise</b> 40:23 <b>wish</b> 167:20 190:17 <b>withdraw</b> 122:6 <b>withdrawn</b> 56:11 63:4 81:23 102:2 124:9 149:18 <b>witness</b> 10:12 13:4 17:1 33:17 59:13 59:16 66:18,21,24 68:14 69:15,16,20 69:20 70:1,8,10 71:9,10,23 72:6,18 72:19,22 73:9,16 73:19,25 78:21 80:7,9 111:7 122:10,13,17,19 125:12 126:2 154:13 156:18 157:23 169:16 170:21 175:14 177:2 178:24 181:20,22 189:17 194:14 195:2 197:6 200:9,12 202:8,10,12,19 <b>witness's</b> 73:1 <b>witnesses</b> 69:21 74:11 <b>wmurtha</b> 6:16 <b>woman</b> 47:9 <b>women</b> 46:4,10 49:19 <b>word</b> 12:10 88:1 94:13 119:3,6 125:22 155:10	178:20,24 179:4,9 179:9,10,11,18 180:23,24 181:3 182:21,22,23,25 188:20 <b>words</b> 126:22 127:8 <b>work</b> 15:16 16:25 24:9 27:17 41:2,3 57:16 59:23 60:13 60:23 61:23 62:24 79:3,6 82:24 87:15 88:21,22 89:19 90:19 98:25 114:22 134:17 157:1 158:5,12 159:17 160:6,15 169:23,23 191:9 <b>worked</b> 27:5 28:5 46:15,17 65:20 184:20 <b>workflow</b> 30:2 <b>working</b> 27:21 38:21 <b>works</b> 14:4 107:9 107:25 <b>world</b> 49:18 126:16,21 127:9 138:14 139:8 <b>wrap</b> 182:16 199:2 <b>writing</b> 17:3 <b>written</b> 80:20 88:11,14 147:25 182:22 <b>wrong</b> 85:2 <b>www.kanner</b> 5:18
			<b>x</b>
			<b>x</b> 8:1,11

[yeah - zooms]

Page 41

y	zooms 11:12
<b>yeah</b>	12:11 33:9 34:19 36:1 46:9 50:15 71:1 73:5 85:19 97:20 98:17 114:16 127:25 138:23 181:23 189:19 197:22
<b>year</b>	20:12,12 28:14,14,17,17,22 28:22 34:13,14 46:23 82:20,20
<b>years</b>	18:10 19:8 28:24 29:1 38:18 47:3 56:14 59:4,4 59:5 82:24 136:1
<b>yep</b>	23:21 142:24
<b>york</b>	2:4,8 13:25 21:6,18 22:10,15 23:2,10,17 27:6 35:7 55:23 65:12 155:13
z	
<b>zhp</b>	3:22 4:4 111:23
<b>zimmerman</b>	6:5
<b>zoom</b>	3:3,8,13,18 3:22 4:4,8,13,17 4:21,25 5:4,8,11 5:15,19,23 6:4,8 6:13,17,21 7:3,7 7:10 11:7,8,10,14 11:15,24,25 12:2,4 12:16,20 14:24 15:1,3 16:11,12 26:20 122:9,14,18 154:8 175:15 184:7 186:21 187:1,18 199:8

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS  
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at [www.veritext.com](http://www.veritext.com).